

# **Food Service Privatization in Michigan's Prisons: Observations of Corrections Officers**

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## **Executive Summary**

Prison food service is indelibly joined with the custody and security of inmates. Meals of sufficient quality and quantity that conform to inmate dietary needs, produced in clean environs with sanitized tools, and served punctually temperate inmate behavior, set the rhythm of the prison schedule and are symbols of a just State. Effective policing in the kitchen and chow hall is vital, because these are areas where inmates work, congregate and commit prison infractions.

Prior to December 1, 2013, the inmates cooking and serving food in Michigan's prisons did so under the supervision of a State Food Service Leader. Since then, private firms have supervised food provision, first with Aramark and now Trinity. Using focus group interviews of corrections officers stationed in the chow hall, the goal of this research was to elucidate how privatizing food service affects officers, inmates, contractor personnel, and the mission of custody and security.

One theme, which corroborates media accounts, was the dramatic decline in food provision standards. Inferior ingredients, unsanitary conditions, an absence of portion control, shortages and menu substitutes, and disruptions or delays were universally observed. These changes negatively affected the whole prison, and were perceived by officers as a function of the cost-reducing tactics of the contractor.

A second theme was the inmate response. Protests by inmates were varied in form and intensity. Individual outbursts occurred, yet more worrisome for officers were collective protests, such as strikes or sit-downs. Inmates also conspired against the contractor by miscounting trays, stealing food and by engaging in other actions that disrupted operations.

Contractor employees were largely inexperienced and inadequately trained to work in a prison environment. The authoritative vacuum created by unfit contractor employees was filled by enterprising inmates. Inmates persuaded contractor employees to smuggle in contraband and commit infractions, such as over-familiarity. Contractor employees were manipulated by inmates to form alliances against officers. In some locations gangs gained control the kitchens.

A third theme was the divisions between officers and contract employees. In general, the security-minded officers report lax operational practices of contractor staff. Kitchen tools were unsecured, doors were left unlocked, the meal line was not monitored, and inmate workers went unsupervised. Contract employees objected to the removal of inmates from the kitchen, and would grant privileges to inmates that contradicted officer judgment. Officers were accused of sabotaging contractor efforts by stealing food, and were obstructed in their efforts to make security rounds and inspections.

Officers even performed tasks that were the responsibility of the private contractor. For instance, to remedy unsanitary kitchen conditions, officers at some facilities supervised a cleaning crew to follow up after the contractor. On occasions when contractor employees failed to show for their shift, officers filled the food supervisor role. In most facilities, officers became obligated to monitor food portions in the serving line and tray counts in order to hold the contractor accountable for output and to prevent inmate conflict.

A forth theme was heightened risk. Frustration among inmates and power struggles to control the kitchens spawned inmate conflict. Focus group participants could not furnish one example where a contract employee assisted in conflict de-escalation. Thus, officers lost the security backup that they once had with State employees, while at the same time saw an increase in need for conflict de-escalation due to inmate anger over meal shortages and substitutions. Augmenting overall risk

was the fact that kitchen tools and byproducts of industrial food preparation (e.g. can lids) that can be fashioned into weapons were not properly inventoried.

Fairness in a prison system is critical for maintaining order. Contractor employees could be too lenient toward inmates or excessively punitive. Unjust punishment, along with the escalation of inmate conflict led to higher incidents of solitary confinement. The decline in sanitation and skill in institutional food operations negatively affected the health and safety of inmates. Trafficking in stolen food and non-food material for manufacturing weapons increased officer stress, kitchen rounds, inmate pat downs and spot inspections.

Contractor employees were endangered by their lack of security awareness, manipulation by inmates, and occasionally, inmate aggression. Officers had to monitor contractor employees for both infractions and to guard contractor employee safety.

A fifth theme was the underlying dynamic created by the focus on the profit motive, rather than the MDOC mission of custody and security. The drive for cost reduction translated into steep cuts in food service leader compensation, inadequate training and lower quality food. In turn, the de-professionalization of the food service leader position was associated with turnover, staffing irregularities, and the inadequate supervision of inmate labor. MDOT supervisors acknowledged food-related problems, but issues communicated upward were rarely addressed and shielded from public knowledge. Political leaders were unresponsive.

A refined comparison between public and private food provision is recommended that matches labor and non-labor inputs, imposes identical operational constraints on the parties, and holds providers accountable for high performance standards. Further consideration is due to the “intangible and unknown issues” or “hidden costs,” brought to light by officer testimony. A return to normalcy would entail the re-professionalization of the Food Service Leader position. Once accomplished, an objective review would likely conclude that it is within reach of the MDOC to return the food service to State operation and suffer little or no budgetary harm.

## Research Purpose

On December 1, 2013, Aramark Correctional Services, LLC (Aramark) was given the responsibility to feed roughly 44,000 inmates in Michigan's 32 correctional facilities.<sup>1</sup> On July 13, 2015, the Michigan Department of Corrections (MDOC) announced it was terminating the Aramark contract and would transition to another firm, Trinity Services Group by September 9, 2015.<sup>2</sup> Aramark lasted less than two years.

The purpose of this study is to understand why the contract with Aramark was so short-lived. More generally, this study seeks to grow knowledge into how privatizing food affects prison operations. What changes took place, and why? How did inmates respond? How were MDOC employees affected? In what ways did privatization affect the MDOC mission of custody and security? Central to our investigation: was the failure due to Aramark, or is private contracting itself problematic?

To address the question about the feasibility of food service privatization, emphasis is placed on the underlying structural and behavioral factors that accompanied the privatization of prison food. Outsourcing any component of a prison system changes the relationships between the personnel within the system. In particular, divergent interests between the public principal and private contractor create barriers for inter-unit cooperation. This report describes points of tension between the private contractor employees and others in the system, especially corrections officers (CO) and inmates. Unlike problems traceable to Aramark, structural and behavioral factors are likely to resurface under any contract relationship.

## Data and Methods

The primary source of data is the testimony from COs working in the kitchen and chow hall areas. Testimony from COs was obtained through focus groups during the months of April and May, 2015, by a University of Michigan team. Focus group participants were recruited by the Michigan Corrections Organization (MCO), Local 526M. Participants were chosen based on their familiarity with prison food operations, proximity to the kitchen and chow hall and willingness to share their observations. Our intent was to gain insight into how privatization affected CO duties, inmate relations, security and custody, and the prison environment from the persons that directly observed the transition from public to private food service operation.

Steps were taken to protect participant confidentiality and to create a research setting free of coercion. First, the study was conducted independently from the MDOC; officials at MDOC were not notified of the study or the identity of participants. Second, while the study was made possible through the cooperation of the MCO, at no time was a union official present during the interviews, which took place at off-site locations in non-MDOC facilities. Third, participants were instructed to be candid even when their comments opposed the official policy of MDOC or MCO. Fourth, the recruitment drew from nearly every MDOC prison facility, and in most cases the session participants had never met. Finally, all recordings of the interviews were destroyed after the data were transcribed, and the data will not be shared with the MDOC or MCO.<sup>3</sup>

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<sup>1</sup> Contract number 071B4300009, State of Michigan, Department of Technology, Management and Budget.

<sup>2</sup> Paul Egan Detroit Free Press 10:56 a.m. EDT July 13, 2015. Michigan to end prison food deal with Aramark.

<sup>3</sup> These conditions were approved by the University of Michigan Internal Review Board on April 3, 2015. Approval number: HUM00100381.

## A Controversial Inception

Source documents trace the initiative to a June, 2008, audit by Michigan's Auditor General, Thomas H. McTavish.<sup>4</sup> At the time, McTavish concedes that the MDOC's "efforts to manage food services costs were moderately effective,"<sup>5</sup> but nonetheless proposes privatization. Citing the per prisoner food costs in two states with privatized food services, Florida and Kansas,<sup>6</sup> McTavish estimated that Michigan could save \$10.2 to \$38.0 million annually by outsourcing food,<sup>7</sup> or approximately 0.5 to 1.9 percent of the MDOC budget.<sup>8</sup> MDOC officials responded with concerns about "many intangible and unknown issues that could impact the potential savings that Michigan may realize from contracting food services," but McTavish replied that "these factors are not likely to completely offset all the potential savings."<sup>9</sup>

With this signal, the MDOC began gathering information from potential contractors. In August 2008, the president of the union representing MDOC's Food Service Leaders (FSL), Mark Smith, responded to the AG report. In a widely distributed letter, President Smith warned of the "hidden costs" to privatization, citing documented episodes around the country involving Aramark with spoiled food, inadequate serving sizes, rodent contamination, food-borne illnesses, contractor over-billing, and contraband smuggling by employees.<sup>10</sup>

The Michigan Senate Appropriations Subcommittee for corrections were persuaded by the Auditor General, and incorporated language in the 2011 appropriations bill to compel the MDOC to bid for prison services.<sup>11</sup> A Request for Proposals (RFP) was issued in June, 2012,<sup>12</sup> and two bidders responded: Aramark and Trinity.

Initially, bidders were required to submit per diem costs based on a prisoner population of 44,444. Aramark's bid was \$3.94 and Trinity's was \$4.19. By comparison, the per diem costs for the publicly operated food service was \$4.07.<sup>13</sup> Thus, by this calculation, the public operation was 3.2% more expensive than Aramark, and 2.9% less expensive than Trinity. State standards

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<sup>4</sup> McTavish, Thomas H. 2008. Performance Audit of Prisoner Food Services, Department of Corrections. Michigan Office of the Auditor General, Report number 471-0621-07L, June. [http://audgen.michigan.gov/finalpdfs/07\\_08/r471062107L.pdf](http://audgen.michigan.gov/finalpdfs/07_08/r471062107L.pdf)

<sup>5</sup> Audit, p. 12.

<sup>6</sup> Florida cancelled the Aramark contract in 2008 after being accused of overbilling and skimping on meals and food substitutions. Kentucky cancelled the contract with Aramark for similar reasons. Reported by Paul Egan, Detroit Free Press, May 7, 2013.

<sup>7</sup> Audit, p. 13.

<sup>8</sup> Based on an annual allocation of \$2 billion.

<sup>9</sup> Audit, p. 13.

<sup>10</sup> Letter from Mark Smith to Thomas H. McTavish, August 14, 2008.

<sup>11</sup> Public Act 200 of 2012. Sec. 939. (1) By January 1, the department shall release a request for proposal seeking competitive bids for the special alternative incarceration facility, the prison stores, the food service operations, and up to 1,750 custody beds.

<sup>12</sup> RFP number 07112200059.

<sup>13</sup> Food Service RFP, Proposal Pricing Analysis. February 28, 2013.

require at least a 5% saving threshold,<sup>14</sup> and so in March, 2013, the MDOC announced that privatization would not go forward.

Supporters of privatization objected, asserting that the Aramark bid was at a disadvantage because not all inmates attend each meal, and thus the actual cost of food stock was less than three meals per prisoner per day. Choosing February as the benchmark month, a revised Aramark bid instead assumed an attendance rate of 57 percent for breakfast, 90 percent for lunch, and 91 percent for dinner. February is the month with the lowest rate of meal attendance because the cold keeps inmates away from the chow hall, especially for early morning breakfast.

Accompanying the revised standard was an alteration to the payment system for services. The initial RFP called for a capitated, fixed price to feed inmates.<sup>15</sup> Such a pricing model would have obligated the vendor to cover cost overruns in the event that meal attendance exceeded the 57 percent breakfast, 90 percent lunch and 91 percent dinner attendance rate estimates. In the new payment model, the contractor was to be paid on a per meal basis, which shifted the risk to the State if the meal utilization exceeded the forecasted rates from February. Aramark, the lead bidder, could now safely submit an artificially low estimate for their proposal, knowing that the State held the risk of cost overcharges. The second round bid by Aramark showed a savings of 24.55% over the public operation, easily surpassing the threshold savings of 5%. The annual difference between public and private delivery was now claimed to be \$16.4 million.

The affected union filed a complaint with the Civil Service Commission.<sup>16</sup> The logic of the union's grievance resembled the one raised by privatization advocates, i.e. that the comparison between the public and privatized operation was unfair. According to the union, three factors confounded the comparison.

The first disparity was in staffing. At the time, the MDOC food operation had 371 full time equivalent (FTE) Food Service Leaders (FSL). The Aramark proposal called for 341 FSL positions (not FTE), with most of the reduction achieved by eliminating the night shift when inmates cleaned, prepared food and baked goods for the following day. The union claimed that eliminating the night shift was possible without privatization.

An even greater FTE reduction was found by eliminating paid meal time at each facility. With State operation, a custody and security practice was for FSLs to eat meals alongside the inmates. Chow halls are locations for inmate altercations, and FSL presence was viewed as valuable to security. By eliminating paid meals, Aramark reduced labor costs. However, the policy also removed the obligation of contractor FSLs to eat in the chow hall and assist with inmate incidents.<sup>17</sup>

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<sup>14</sup> Standard D of the CS-138 process.

<sup>15</sup> Attachment A, original RFP number 07112200059.

<sup>16</sup> In Michigan, the Commission must approve all purchases for services of this magnitude. Technical Disbursement Complaint, CS-138 No. 472S3200018.

<sup>17</sup> To ask a FSL to work during non-paid time would likely be a violation of the Fair Labor Standards Act.

Eliminating the night shift plus the loss of these meal time security hours reduced the Aramark staffing to 269 FTE, compared with 371 for MDOC. The value of the staffing loss was estimated at \$6.7 million annually.<sup>18</sup>

A second disparity was the use of cheaper food substitutes or smaller food portions. Early on, Aramark signaled intent to deviate from the MDOC menu by providing inferior fare and reduced quantities.<sup>19</sup> Aramark did eventually agree to match the MDOC meals in accordance with the contract specifications of the statewide standard menu with dietary variances,<sup>20</sup> and contractually the scope of work stated that the contractor will follow the standard menu.<sup>21</sup> Still, there were reasons to be skeptical that the quantity and quality would match the MDOC standards. The contract was silent on food details. For instance, Aramark did not submit recipes or information on ingredients. An accurate comparison would have required the contractor to match food recipes and ingredients as per the MDOC menu.

The third disparity was in the food procurement requirements. State entities, like the MDOC, are obligated to purchase from Michigan-based businesses when other factors are equal.<sup>22</sup> Before privatization, the MDOC purchased nearly all food and cleaning supplies from Michigan firms and farms, and was a major customer of Michigan State Industries (MSI).<sup>23</sup>

Aramark had no obligation to purchase locally, and could bypass MSI, Michigan firms and farms to purchase from national sources. Moreover, Aramark had a prime vendor agreement with SYSCO Foods, based in Houston, Texas, which enabled Aramark to benefit from quantity discounts. Prior to privatization, the MDOC had negotiations with Gordon Foods Inc., for a similar prime vendor agreement, but the talks ended when it became evident that the State was to outsource food services. Altogether, the prime vendor agreement gave Aramark an advantage estimated at \$11.0 million annually.<sup>24</sup>

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<sup>18</sup> In 2013, 1 FSL FTE was valued at approximately \$65,770 based on average wages and benefits for this classification.

<sup>19</sup> For instance, the proposed menu by Aramark included the following variances:

- a. MDOC provides prisoners with the option of 100 percent fruit juice at every meal; Aramark will provide a fortified fruit drink.
- b. MDOC provides prisoners with the option of 2% milk for breakfast, lunch and dinner; Aramark will offer 1% milk for breakfast only (the meal with the lowest attendance rate).
- c. MDOC offers prisoners a fruit option at every meal, up to 2 cups per day; Aramark provides ½ cup per day.
- d. MDOC recipes and menus use real butter; Aramark uses margarine or similar substitute.
- e. MDOC provides 4 oz. portions of Chicken Patties, Fish Patties, and Meat Balls; Aramark proposed 3 oz. portions.

<sup>20</sup> Contract 071 84300009, attachments D, E and F.

<sup>21</sup> Contract 071 84300009, section 1.020, Scope and Deliverables.

<sup>22</sup> MCL 18.1261, the Management and Budget Act, section 261 (1): "If consistent with federal statutes, in all purchases made by the department, all other things being equal, preference shall be given to products manufactured or services offered by Michigan-based firms..."

<sup>23</sup> MSI is part of MDOC, and employs prisoners to make goods and services for Michigan prisons and non-profits.

<sup>24</sup> MDOC food expenses were \$36,750,200 in 2012. In spring of 2012, the MDOC had a tentative prime vendor agreement with Gordon Food Service, located in Grand Rapids, Michigan to supply the prisons. The deal would have allowed MDOC to avoid the high cost of many MSI purchases. Optimistic internal estimates were that the prime vendor contract could save MDOC 30 percent on food expenses. This was

The union argument was that the projected \$16.4 million in annual savings from privatization vanishes when the FTE loss and prime vendor discount advantage, both achievable under a public model, were factored into the comparison. The union request was for a quote by the private bidder under the same constraints imposed on the public system, whereby the staff FTE, skills, and roles were equalized, recipes and ingredients disclosed, and materials were purchased locally.

In essence, the union argument was that in order to forecast whether Michigan benefitted from privatization, *cost* and *substance* need be compared. The Technical Review Officer that ruled on the case instead held that the Civil Service Commission was only obligated to consider cost.<sup>25</sup>

Opposition to privatization extended beyond the affected union. During a Civil Service Commission hearing in September, 2013, Michigan-based vendors to the MDOC raised concerns about the loss of business, advocates for inmates raised concerns about food quality and nutrition, and corrections officers expressed concerns about safety and security.<sup>26</sup> The Republican-led initiative even provoked a letter signed by six fellow Republicans requesting that the State Administrative Board reject the project.<sup>27</sup> Advocates for privatization nonetheless prevailed.

An evaluation could have factored in the economic impact of diverting potentially \$36.7 million in prison supplies away from Michigan business and farms. The committee judging the economic feasibility of this venture was so empowered, as Section 3.023 (c) of the RFP stated:

*“The State reserves the right to consider economic impact on the State when evaluating proposal pricing. This includes, but is not limited to: job creation, job retention, tax revenue implications, and other economic considerations.”* (p. 83)

This sensible criterion was ignored. And so, by theoretically saving the MDOC \$16.4 million annually, the Michigan economy was poised to lose twice that figure through the importation of food and supplies from other states.<sup>28</sup> By failing to consider the broader economic implications of outsourcing, the evaluation committee sidestepped the question of whether privatizing food service was economically wise for Michigan. The absence of any consideration for the economic loss of business to out-of-state vendors underscored the political force driving this initiative.

### **Questionable Performance and Escalating Price**

News accounts tracking Aramark’s performance were not positive. The overall picture was one of a public institution, the MDOC, dealing with the problems created by privatization. The initial

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based on a confidential telephone conversation with a MDOC food supervisor with knowledge of these negotiations.

<sup>25</sup> Office of Technical Complaints, Technical Review Decision 2013-008 for CS-138 No. 472S3200018, issued September 25, 2013.

<sup>26</sup> Michigan Civil Service Commission hearing, September 18, 2013. Online at: [http://www.michigan.gov/mdcs/0,4614,7-147-48041\\_14444\\_48056-303178--,00.html](http://www.michigan.gov/mdcs/0,4614,7-147-48041_14444_48056-303178--,00.html)

<sup>27</sup> Letter from Tom Casperson to the State Administrative Board, September 30, 2013.

<sup>28</sup> As explained earlier, the \$16.4 million figure is in doubt. As for the \$36.7 million loss in in-state business, this too is a doubtful figure because the contractor will purchase some supplies locally. Detailed information for estimating the proportion of business that exited Michigan was unavailable.

State response was to grant Aramark leniency for contract violations, and allow Aramark to bill the State at a higher rate than projected by the initial agreement.<sup>29</sup>

News sources suggest that the tipping point came when Aramark demanded a substantial payment increase. In May, 2015, Trinity was invited to perform a “benchmark review.” That July it was announced that Trinity would replace Aramark.<sup>30</sup>

The contract with Trinity included several concessions to privatization, including: an additional \$13.7 million over the three-year deal,<sup>31</sup> higher meal prices, the removal of an inflationary cap for future price increases, the removal of industry experience as a qualification for new hires, and the elimination of security duties, such as prisoner pat downs.<sup>32</sup>

Thus, Aramark’s failure did not trigger a reconsideration of the merits of privatization. Michigan leaders instead handed control over to the second place bidder from the initial tendering round, Trinity, under more lenient terms. A 2015 preliminary report by the Michigan Auditor General estimates that payments to Trinity will be about 15.4 percent higher than payments to Aramark.<sup>33</sup> And in January, 2016, in response to food privatization problems, the MDOC announced that it would create a new unit of 30 persons to monitor MDOC private contracts.

### **Reading and Interpreting Officer Testimony**

The following sections present the themes and sub-themes from CO testimony. To the extent practicable, direct quotes from participants drive the discussion, and these are shown in *italics*. Interpretative comments by the author are in regular type, and with the exception of the final section titled “Interpretation and Discussion,” precede the relevant CO statements.

Edits to bring greater clarity to CO statements are in [brackets]. The symbol ... was inserted for sections of a CO quote that were eliminated to reduce the length of the text. The underscore symbol \_\_\_\_\_ represents a deleted reference to a person or place that could potentially identify the respondent.

Some CO quotes are singular statements, while others are a conversation involving two or more persons. To distinguish these for the reader, the start of each conversation is marked by a bullet point. Conversations involving multiple participants will begin with a bullet point and present subsequent comments as paragraphs below the initial remark.

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<sup>29</sup> Michigan was billed \$200,000 per month above what was anticipated. Comment by Caleb Buhs in “Prison food bill to go up \$13.7M with new vendor,” Paul Egan, Detroit Free Press, July 18, 2015.

<sup>30</sup> Prison food contractor Aramark wants a raise. Paul Egan, Detroit Free Press, May 22, 2015

<sup>31</sup> Prison food bill to go up \$13.7M with new vendor, Paul Egan, Detroit Free Press, July 18, 2015.

<sup>32</sup> Aramark scope in Contract 071B4300009 reads “Provide accurate prisoner count on regular and routine basis and report those counts to the facility point of contact.” This requisite was replaced by “Perform a thorough search and inspection of prisoner work areas on a regular routine basis” in the Trinity scope: Contract #071B5500118.

The requisite “Perform shakedown/pat search of prisoners or work areas on a regular routine basis in the presence of a MDOC Correctional Officer.” Was in the Aramark contract, but removed for Trinity.

<sup>33</sup> AOG, 2015. Prisoner Food Services, Department of Corrections. State of Michigan Auditor General, Lansing MI, December. See page 7 for weekly expenditure estimates.

## Theme 1: Food Service Role and Changes with Privatization

This section presents testimony on the importance of food service to prison operations. Also discussed is how the food operations changed under private management.

### 1.1 Food is Central to Prison Life

All focus groups remarked upon the centrality of food to prison life, often connecting food directly to security and perceptions of justice. Inmates are sensitive to food quality and expect a decent meal that conforms to the posted menu.

- ❖ *L2-85: It's the security, but it all starts from the food....*
- ❖ *W3-1: You get bad food, they [inmates] get agitated. They get pissy, especially when it starts getting warm out, which just makes our job harder, having to get everything under control, trying to keep things normal.*
- ❖ *T2-12: These people [Aramark employees] are flat ignorant about security issues and how it reverberates on the yard and the housing units. Things will start in the kitchen and somebody will get hurt on the yard because of the way Aramark attempted to handle it.*
- ❖ *P3-1: The temperature of the food--old food, cold food is a big problem in the kitchen. They want their food, they want it warm, served at the right temperature, not getting warm lettuce, or cold corn...*
- ❖ *M5-15: The food is so important. I mean we take it for granted like, 'Oh, just run to the store. We'll pick up some more.' But those guys [inmates] they look at that holiday meal, like it's posted in their unit. 'Oh, I can't wait.' You know. 'Oh this day is Pizza Day,' or 'This day is \_\_\_\_\_,' or whatever, anything. And they....that's what they look forward to. They have not much else to do.*

Serving meals on schedule is critical for meeting the daily prison agenda. Inmates arrive at the chow hall in shifts, and when they are finished engage in a variety of rehabilitation activities. When food is inefficiently served and the meal shifts become delayed, the prison schedule is disrupted.

- ❖ *D1-67: The whole schedule. Everything is scheduled around food service.*  
*GG1-67: Right, and then if food service runs long, then like I said everything, some things get cancelled, and at our place, treatment and stuff like that is very important, you know. So if we have to cancel the Treatment Mall, which is the place where they go for activities, then you know it looks bad, and we don't want to do that.*
- ❖ *D3-29. When you take and throw a wrench in the schedule, and these prisoners, if at 4:00 in the afternoon, he knows he's supposed to go out on the big yard and he's still in the chow hall, it totally discombobulates these guys. I mean, you'll see they're head spin, like you know, I'm supposed to be out on the yard right now, and I'm still in here, and it just throws their whole day out of wack..*
- ❖ *A5-7: And like \_\_\_\_\_ said, the time is structured for the facility. You can't.....they have to feed them first, then they start the programs after the chow lines are done that*

*they have to go to, and then their yard time comes in, and as things drag out from one meal to another, it's the same for the breakfast meal, the lunch meal, and the evening meal. Nothing happens until the meal is done. That's what makes the meal so important. The food is so important. The feeding time is so important, just everything that happens around the meal time. Nothing happens during meal time. Programs run during the day and the evening, as those meals drag on and on and on, those things get pushed back and sometimes they're cancelled.*

Another common sub-theme is related to the inmate activities in the chow hall. Kitchen and chow halls are where inmates commit various forms of violations, such as theft, the exchange of contraband, and physical violence. It is therefore critical for officers to have access to kitchens, an unobstructed view of the chow hall, the ability to inspect areas and equipment and the authority to discipline inmates.

❖ *L1-5: That's where they [inmates] do their dirty deeds.*

*T2-5: Not only do we need to have access so we can observe the employees and the inmates, what they're doing, but there's also security as far as contraband being stashed. We have to be able to shake-down for security purposes. When we do sweep through the kitchens, we find weapons. We find stolen food with spud juice anything like that, and if they know that we can't get into an area, that's where they put it.*

❖ *G1-22: The kitchen is the number one contraband point in probably any facility out there. It should, you would think that it would be the most controlled. It should be the most controlled, and now it's not. It's the least.*

*D1-22: They move all their contraband, dope, heroin, marijuana....*

*G1-22: It's a distribution point.*

## **1.2 Food Quality and Quantity Declined**

Participants unanimously observed a decline in food quality with privatization. Although the contract specified standard recipes, deviations were common. Ingredient fillers were added and meals were diluted with water in order to stretch food rations. Expensive ingredients, such as seasonings, became scarce. Dietary standards were not met.

❖ *D1-39: The spaghetti recipe was 256 lbs of hamburger. It took so many cans of sauce, so they had the protein count, but now they're only at 150 lbs of burger. They just put less burger in.*

❖ *MC2-11: Oh I've seen where they've had water to add to the gravy. To the gravy, to the soup, whatever it is they're just adding water.....to pizza sauce watering it right down.*

❖ *L2-23: The gravies are water because let's say the recipe calls for 4 cups of flour for every pound of meat to make the gravy sauce or whatever it is. Well they'll just get the quarters to save money by, 'We're only going to give them 2 cups of flour to start into this thing for this ratio...'*

- ❖ *B5-19: What they [Aramark] don't understand [is that] the recipe card ... states it for how many lbs. of meat, say 50 lbs., but when you go and pull 270 lbs. of meat you have to adjust those seasonings [proportionately]. They made taco meat one day. They put a cup of chili powder in 250 lbs. of taco meat. I said, 'That's all you going to put in there? You didn't read the cards right.' 'Oh no, no, they said go by the recipe card.' 'Yeah, but you didn't adjust it by the amount of meat that you made times the recipe card.*
- ❖ *S4-17: They've kinda gone to taking a lot of the spices and stuff, the flavorings, out. The food has become pretty bland.*
- ❖ *P3-51: ... even like when they're doing diet trays, if it says 2 tomatoes they don't have tomatoes. The prisoners are, I mean they can be pretty good, but when it comes to food, that's one way to piss them off, and when they don't have tomatoes they don't give them anything else either. 'Well, I'm sorry we don't have tomatoes.' 'Well, that's our dietary food for the day,' or whatever is supposed to be on the trays.*

In some instances the food reduction was systematic and deliberate. Portion sizes would often diminish as the final inmate shifts attended the meal.

- ❖ *J1-40: ...we had chicken on a bone the other day, and it's supposed to be a quarter, you know like a chicken quarter?*

*RZ1-40: Yeah.*

*J1-40: It looked like it came off a pigeon.*

- ❖ *S2-12 [The menu specifies that] they get 1 cup of noodles and a half cup of sauce. So they're [Aramark] trying to conserve. What they did was they put the ... sauce with the noodles, and they were giving them one cup of that. Well, technically in a scoop form it's supposed to be a total of 1 ½ scoops, so if you're putting the sauce with the noodles, then they should get 1 ½ scoops of the spaghetti.*
- ❖ *G4-18: For the officer working on the raw feeding is getting trays thrown at them. For the officers that are level 1 who have to stand in the serving line when they were serving big scoops of pop up meat and now they find out they're almost running out so they drop the sizes of the scoop by 2 and all these other inmates see that they have about half. And everybody's in there bitching and now there's another officer who has to deal with this situation.*
- ❖ *T5-20: There's a lot of times I look at their recipes as their producing their food. Their supervisor will give them a recipe to serve 900 prisoners. Our institution holds 1100 normally, and depending on which meal it is, they will add water to all of their stuff to make their products stretch.*

Officers observed improperly prepared food, the use of potentially spoiled ingredients, and the presence of foreign objects in the food.

- ❖ *J1-5: On some days if they don't run out, there will be other problems with the food. Raw, undercooked, sometimes burnt, sometimes it's soupy. If they don't run out, they screw it up somehow.*

- ❖ *J4-16: We have what they call cabbaged casserole, it's meat and cabbage. And there was an afternoon shift at our facility that got so bad where the supervisor had to come down with a camera to take a picture of the portions on the tray because the cabbage casserole was so watered down it'd be all over their tray. Other things were the grits in the morning, undercooked. They're not checking to see if they're fully cooked.*
- ❖ *D3-39: At our facility they take the whole dried up potatoes that have been in the freezer or whatever, the cooler for I don't even know, at least a day or two days, three days, and they'll mix them in with the other potatoes and put extra butter across them...to disguise.*
- ❖ *P3-47: I've seen a bug that big in them collard greens, like I couldn't even handle it. A perfect big ol' bug right on the collard greens.*

*RZ: A well-cooked bug?*

*P3-47: Well-cooked bug.*

*D3-47: I watched a prisoner pull a rock out of his mouth... Wasn't 2 feet over from me where I scan my ID's, and he's like, I heard him...., 'What in the.....?' And he reaches into his mouth and pulls a rock out bigger than a pea....\*tink\* drops it on the table \*tink, tink, tink\*I was like, 'What is that?' And he says, 'It's a rock.'*

*B3-47: We had spaghetti one day, and one of the officers came over and he was eating, and he pulled a mop string out.*

Fairness in a prison facility is vital for minimizing inmate conflict. Inconsistent portion sizes (small portions or double servings) can be perceived as a form of unjust punishment (or reward) that aggravates inmates.

- ❖ *GG1-38: But from them it's the proportion. Their smaller. Smaller portions of food, and they come down and they say, 'This is it? This is what I come down here for?'*
- ❖ *T1-10: They're [Aramark] concerned if somebody got an extra scoop of something, if somebody grabbed an extra milk, or you see something like that, they'll go run after them, but if you see, they see their employees goofing off, doing absolutely nothing, it's just like they don't say nothing to them. It's all about the bottom line; can't give away that extra scoop.*
- ❖ *D4-44: Because his buddy belongs to the same clique, and he'll [Inmate worker] give the guy two pieces of cake. So when the next two guys don't get two pieces of cake and he goes and sits down, and when they sit down they hand their cake off to anybody who want, but when a guy comes off and he's got two pieces of cake and a piece of fruit and the next guy just gets a piece of cake and doesn't get fruit or two pieces of cake. So down the line they're running out of cake well it's because you're serving two pieces of cake to half the guys that came through here and then you're making or getting off frustration level up of the guys that's not getting the double portion.*

*J4-44: The state [workers] would actually watch the line and make sure people were getting the proper portion where Aramark they just kind of stand back and they just watch and a prisoner will sit down and put his tray down and walk right back to the line and grab another tray right in front of them and then go back and sit down. Where a state*

*employee would have, they would have stopped him and said hey give me your ID and your ticket. Well you're blind and they [Aramark employees] don't care like as much as the state employee would.*

- ❖ *B5-34: You know the guys [Inmates] have been feeling like they've been getting shorted, and you feel the tension, and you've had that back-turn thought that one day these guys are going to lose it. We're going to lose one of these prisons....staff is going to get hurt, and one way to curtail that from happening is to give these guys enough food. Why try to cut them short? And if you're trying to make the shortage by not making so much, so you only made 1100, and now you trying to stretch that 1100 to feed the 1280 or the 1230 that might come.....it makes their portion smaller. If you give them enough portion, 50% of your problem is taken care of right there, as far as you know, whatever they might decide to blow up that day.*

### **1.3 Slower and Less Reliable Food Service**

Participants discussed the importance of punctuality in meal delivery. Of the operational changes with privatization, food shortages were especially common and disruptive.

- ❖ *MC2-11: You're always running out. It's breakfast, lunch, dinner, it doesn't matter what shift it is.*
- ❖ *M5-5: Well, they're pretty much set up with some structured time frames. I know when we work 12-hour shifts, just \_\_\_\_\_ and I, we run late and it runs over every hour, you know, it runs late, and then 3<sup>rd</sup> shift comes in, and they don't have the coverage to cover our Chow Hall, and it leaves security risks all the time. It's not only around the food. The other day, they stopped chow lines to start cleaning. There were eggs, there was cheese all over, just a mess, and you know it's kind of like you should kind of clean while you're going, but they stopped the lines and I'm sitting there, 'What in the heck is going on?' And they [Aramark employees] just don't understand what happens next....how it's so structured.... This happens, this happens, this happens, this happens.....when you get that out of order, it just screws up their [inmates] whole day, and makes it hard for them to adjust and it comes at us, chaos.....*
- ❖ *P3-29: And that's the big thing to notice is that the chow lines take forever to run. The state of Michigan ran them, boom, we ran chow lines we were done. It was over.*
- ❖ *G1-4: When they [Aramark] run out of food, and that's almost on a daily basis they run out of something. And when the state had their workers, they never ran out. They made sure they had enough.*

Poor planning might have been a partial explanation. Former state employees would prepare food based on a forecast that erred on the side of making more than necessary, so generally the food amounts were adequate and shortages were rare. Leftovers were stored and later used for other meals. This practice changed with privatization.

- ❖ *D1-16: See, the state workers, we counted trays, and that's how we knew how many would eat. So, that's how we kept track of what we fed, is we counted trays. And, the old, the old state employees would get the log book, and the state feels, feeds in a cycle. The meal just goes over and over, but you keep track of each cycle. If you fed 1,050 on this cycle, and the last cycle you had 1,025, you make 1,075 portions, then you know you're*

*not going to run out. Aramark doesn't do that. They don't keep track of nothing, and so that's how we always run out of food is they don't keep track because you know when you have chicken day, if there's 1480 inmates, you better cook 1500 pieces at least.*

- ❖ *L2-22: But they.....instead of making 1900 portions, they'll go in there, and now we're going to, 'We'll be alright. We can make 1600 portions of waffles because the last time we made them, we had only made 1800 portions, and we had 300 extra portions,' ok. They didn't take into account that hey, at least 35 below that day in a blizzard that nobody wanted to come out to or, they're not taking any of these things into account. They're looking back at the last 3 times they served it. They're not taking into account that it was 104 degrees today, and nobody wants to eat when it's that hot or whatever it is. They're not taking these things into account, so they're saying, 'Ok, we want to serve 1500 servings of this terrible meal last time, so now we can get away with making 1300 servings of it.*
- ❖ *D4-47: yeah I was in the kitchen last weekend in the midnight shift and went out to get cereal with the cart and had somebody go out to the warehouse and they come back with an empty cart because they didn't have any cereal out in the warehouse.*

*RZ4-47: Because it was stolen?*

*D4-47: No they forgot to order it and they weren't paying attention to their stock.*

*J4-47: Same thing at our facility. Daily or I shouldn't say daily, but 3 or 4 times a week they're going down to the warehouse to bring something in that they didn't order and put on a truck to come in or they come back and they got nothing because they didn't have anything in the warehouse.*

Food shortages were also a function of contractor efforts to minimize waste. Contractor employees were instructed to “progressively cook,” which meant preparing food for a low forecasted attendance, and then preparing additional food as the need developed. Progressive cooking is an aggressive approach toward minimizing leftovers that errs on the side of under producing for daily demand. The result was often a harried effort to feed inmates arriving from later shifts.

- ❖ *B5-9: Certain meals they're going to run short on anyway, sloppy joe.....for some reason they don't bring enough beef for them. The card will say put out 360 lbs, 350, they'll put 270, and I'm like, 'Why would you pull 270 when it says pull 360?' 'We're going to progressively cook.'*

*RZ5-9: What is progressively cooking?*

*B5-9: When you get halfway through, you look to see if you went through 135 of the 270 lbs of meat...and then see how much more you need to cook.*

- ❖ *J3-39: ... now the Aramark supervisors, are telling the employees to progressively cook, and they're using forecasting. What it is, is we're on a rotating menu, ok. So we have hot dogs, that come around [periodically].... The last time we served cheesy rotini, we sold 700 and something trays, ok. So that's what you're getting. He's telling these Aramark employees, the red shirts, that the line.....*

*D3-40: This is all you make.*

*J3-40: And they only give them enough food to make 700, let's say 700 batches because that's what we served last time when we prepared this meal.*

*B3-40: That's where the extra time comes in sometimes....*

*J3-40: Right, so that's what they do is they make that number of rations, and then if 750 decided to eat that day, that's where we're running short and we, they're having to prepare more food or, in which is holding up chow lines, it's holding up the production, you know, the stability of the facility.*

- ❖ *T5-13: They constantly, at least once a day during lunch or dinner, are running out or not making enough, and they pull stuff from the freezer to try to make up for it, well.....it takes a while to thaw meat, so it does delay the dinner lines. Usually it's the dinner lines that are always affected worse probably because the breakfast and lunch were behind, not allowing the inmate cooks to start preparing the dinner meal on time.*

Schedule delays due to food shortages were described as a daily occurrence. To move inmates, Aramark would often resort to meal substitutes. Delays and substitutes stirred inmate anxiety and anger.

- ❖ *A5-11: We [officers] walk around and see what's on the serving line, we walk back in the kitchen and go, 'Holy shit. We aren't going to make it. We're going to be running an hour late.....' because they haven't pulled 100 lbs of meat out, and that 100 lbs of meat that they got to get out comes out of the freezer, and now they have to come thaw it out and then cook.*
- ❖ *J4-7: The prisoners [filled out a] slip on how much stuff they had to order for the meals, and he [Aramark supervisor] would cross stuff off and say we don't need it because it costs me money and it's not in my budget. One time we had a prisoner put down 80 crates of milk and he [Aramark] crossed off 80 and put down 75. And we ran breakfast lines prisoners were bitching because there was no milk for their cereal and this disrupted the unit; the last unit for probably 45 minutes until a truck came from the warehouse.*
- ❖ *D4-6: ...if something's ten minutes behind it sets off everything else. We come in and lock down from chow, do counts, and boom you got school going out and you got small yards going out. They [inmates] go to their day rooms, their different activities. So if they're [Aramark] running out of food, which happens a lot at our facility..., they have to wait until they get food cooked or they have to make something different quick and substitute. One time we had turkey dinner, some guys got pizza because they run out and the last guys got peanut butter and jelly sandwiches. So you got three different meals being fed so the guys who got peanut butter and jelly sandwiches are mad because they didn't get the pizza and some of the guys got the turkey would rather have had the pizza. So they get pretty upset and that's one of the main things.*
- ❖ *GG1-28: They [inmates], you know, they get upset. They're like, 'Where's my...' you know, 'Where's my waffle?' 'Where's my sausage?' 'Where's my....' you know, 'Where's the butter at?' 'Oh, we ran out, sorry.' No, you didn't run out, you just didn't bring enough...*

Another waste minimizing innovation by Aramark was to allow inmates to choose the food items they wanted during the chow line. Under state management, inmates received a standard tray with all items, of which inmates could either eat or discard. This change added to the meal line delays. Meal delivery disruptions and delays negatively affected all corrections.

- ❖ *P3-28: And that's another thing I noticed too, is back in the day, when the states served a tray, they served a tray. There was no requests, no if, ands, but, if you didn't like it put it in the trash.*

*W3-28: Everything was put on the tray and it was the end of story....*

*P3-28: You don't have to eat it. Now Aramark's trying to save their pennies so they have to ask for a salad on request, they have to ask for this on request, so the chow lines go twice as long, I don't know how long you guys' chow lines are.....*

*W3-28: 3, 4 hours.*

*P3-28: Ours can go anywhere from 2 to 2 ½ to 3 hours to make what they're serving.*

*RZ3: Ok, so they're slower?*

*W3-28: Oh yeah.*

*P3-28: Yes, because they have the prisoners asking for requests they'll get in line, the prisoner says, 'Well, I wanted a salad.' 'Well, you didn't ask for it.' Oh, tray goes back down the line, salad gets put on, tray goes back down the line, by this time it's a hold up you know.*

- ❖ *RZ4-6: And what happens then when the food service gets disrupted? If something goes wrong and food isn't being served?*

*G4-6: Well it holds up the whole system of the prison from when they got to go to school from when yards are run to everything that goes on.*

*RZ4: How about how common is that?*

*All: Daily.*

*S4-6: Almost every meal is an issue.*

*G4-7: And that's our level 1 is. But we have a truck that takes it down. And we run into that same problem and it disrupts the whole level 1 because they're short. I worked in overtime a couple weeks ago where they brought food down to check anything so she gets down there and I'm standing there with inmates all over waiting to eat. And she's running out to the gate and the whole Aramark crew is bringing food because she didn't check and they didn't have half the stuff in the carts. They're out there making food and they looked in the cooler and it's all sitting right there. By the time we were 45 minutes late by the time they figured everything out. And now I got a whole half a unit of inmates sitting in there bitching because they want to eat.*

## 1.4 Unsanitary Food Handling and Dirty Kitchens

Pressure to minimize food waste led to improper food handling practices.

- ❖ *B5-78: We had one incident, they had their produce truck come in, and one of the guys unloaded the potatoes, one guy cut his hand, the middle of his palm, a 2 ½ inch cut, and the bags were wet... he didn't know his hand was cut, on like 16 bags of potatoes, 50 lb. bags of potatoes, and they came out, I said, 'Why is your hand wet? You're bleeding. How did you cut yourself?' 'I don't know. I did feel a sting a little bit.' 'Where did you cut it at?' I go in there and it's like.....I said, 'It's one of them bags that's got blood on them. Get them on the cart, bring them out here, and throw them away.' The [Aramark] director said, 'No, you can't throw that away. It [blood] didn't go through [the bag].' I said, 'Lady, the bag is wet, that's blood. You can't do that. I don't know what his health concerns are or what his problems are. He could have hepatitis. It's going in the trash.' She's like, 'That's 16 bags of potatoes.' 'Yeah, 800 lb., it didn't come out of my pocket,' and I said, '...it's going in the dumpster. She said that the potatoes could have been taken out, and put into big barrels and just soak them in water.' No, once blood has touched it, it goes in the dumpster.*

*T5-79: Yeah, there's been quite a few incidents at \_\_\_\_\_ where Aramark was pulling chicken out the pan for the following day's dinner, and they've actually observed them and made them toss out basically all of the chicken legs and thighs they had panned up. They were thawing the bricks of chicken in hot water in the kettles, and then throwing them on the sheet pans while they were raising the temperature of the chicken up to about, I think the highest temp was 101, but once you start the cooking process of, especially like chicken or something like that, you either need to get it fully cooked and then put it back in the cooler, and bring it back down, the temp within 4 hours, or you can't bring it above 42 degrees, and they had this chicken all hovering in the 90's because they were using hot water to break it apart, and they weren't too happy about it, but they ended up throwing out all of their chicken legs and thighs, and that's happened actually like 3 times.....twice with the same person....*

- ❖ *S4-21: I got all kinds of documentation of stuff, security issues, sanitation issues, outdated food and I actually got a picture of a memo from one food steward to another from Aramark saying that to make sure that they change the dates and times, the expired dates, on foods in the cooler.*

*RZ: So you confirmed that they were changing the expiration dates on the food? So they didn't have to throw it out?*

*S4-21: Yes I have. The same day that they had burger, we threw 180 pounds of meat out, because when they probed it before they cooked it, it was 58 degrees already. It had sat out too long or wasn't unfrozen properly and they ended up throwing it out. One day I found bunch coleslaw that was just about two weeks outdated. I think there was 8 pans and I threw it out and that day they were 60 pounds shy for the cabbage casserole and it was the coleslaw what they had found was outdated. So they did get rid of it but then for that meal for that afternoon they were 60 pounds shy for cabbage casserole so I'm thinking it can't prove it, but I'm almost positive that's where that would have gone.*

There was universal agreement across the focus groups that the kitchen areas became less sanitary with privatization. Officers have a right to eat meals, but often declined because they did not trust food safety. Inadequate sanitation attracted pests.

- ❖ *A1-10: Cleanliness is horrible. Horrible. I don't know how it passes any kind of inspection. It's ridiculous.*
- ❖ *W3-5: One of the things I've noticed since the switchover—when we had our state workers working, you could almost eat off the floor in that kitchen. There have been days when I've walked in after the chow lines and everything's done have been swept and all that, I wouldn't want to walk on that floor, there's just so much... I mean, filthy. I still eat in there from time to time but not very much anymore. Just because, I mean I've had issues when I would go home sick just after eating. I just generally don't eat in there very much anymore.*
- ❖ *H5-43: When I call the workers over at 4:30 in the morning, I'd say 4 out of my 6 days, I have to get a prisoner to clean the table for me so I can sit at it to do my paperwork because the tables are nasty. ... the utensils the prisoners eat off of, the plates they eat off of, our site trays, they stink, they're dirty. To be honest with you, I don't know why the prisoners haven't rioted already because if I was a prisoner and they served me food on these trays, I wouldn't eat. Our kitchen stinks....*

*A5-43: Never stunk before.....*

- ❖ *M5-60: I make my own food, kind of go in the diet line and combine a few things, but as far as overall, yeah, there are not many people that are eating.*

*T5-60: At my facility, I obviously work in the production area, there's some stuff that I just refuse to eat because I see how it's prepared, what they use to prepare it, things along those lines, and I will pass that on to the officers that are coming into the Chow Hall eating like, 'Hey, you might want to stay away from the coleslaw today.'*

*A5-60: Cleanliness is a real issue, in fact, there's probably only two people that, on 1<sup>st</sup> shift, that eat in the Chow Hall, and I don't think anyone on 2<sup>nd</sup> shift does, and I advise all of my new employees, all of my old GT's, bring your own lunch.*

- ❖ *T2-61: ... I come in and the floor drains will be plugged with pieces of onion and peppers and stuff. I'll have standing water out on the serving line where I'm supposed to put a meal out for staff, I have to grab the squeegee and clean it off because [Inmate workers] refuse to do it. It's horrible. You can't overstate how bad it is. Our mice are leaving trails on the floor because their bodies are dragging. Yeah....you can't enter a room without seeing mice scatter.*

Participants attributed the worsened environmental standards to ineffective management of inmate labor. Lack of knowledge on institutional sanitation practice was also noted. Participants connected the decline in sanitary conditions to economic motives; cleaning activities and supplies were reduced to save money.

- ❖ *D1-10: As an example, when we had state workers in there, when chow lines were done and everybody had their stuff down, every inmate was scrubbing the walls, scrubbing the pipes, scrubbing the floors.*

❖ *MK2-61: The old food stewards had a schedule, like under sides of the table you got to clean with you know, every week. This gets cleaned every week. With Aramark, they don't have none of that.*

❖ *P3-19. One of our big things is when we run out of Pan-Tack, which is a dish soap, they run them through hot water....they run through the water. That's how they clean the dishes.....*

*RZ: With no soap?*

*P3-19: With no soap. And they're serving the trays, and that's how they're sanitizing trays is through water, and they bring them right out to the lines because they've been out of Pan-Tack for 2 or 3 days.....*

*D3-19: And you got to understand that we have a slew of viruses in the prison system whether it be AIDS, Hepatitis, you name it, we have all of that.*

❖ *GG1-11: I mean we did a test. We put a tic tac on the floor, and it stayed there for a whole week, in the same place. ... we had to say something, you know. This floor hasn't been clean. 'Yeah, yeah, yeah it has we cleaned it.' No, that tic tac's been there for about a week. You have not cleaned it.*

❖ *T5-45: At our facility, they're constantly cutting back on supplies they need to even properly clean the food service building. Obviously they save overhead so they don't go over their budget or they're trying to meet their budget. I don't think they ever have actually hit their budget at our facility yet. There's a lot of times, we'll have to call the housing unit to get the green scrub pads because Aramark doesn't have any. They're constantly running out of soap either for the dish machine, hand soap, soap for the pots and pans room.....Aramark's staff would have to run down to the dollar store to pick up some bottles of Dawn or whatever they can get a hold of so they can scrub the pots and pans. At times, we went I don't know how many weeks without brown napkins for the handheld dispensers. They were giving everybody white napkins, which don't work very well when washing your hands, and that was for 2 weeks straight. They constantly run out of cellophane for wrapping food, so they'll use garbage bags in place of cellophane. It's amazing the stuff that they are not purchasing that they need to purchase just to run the Chow Hall and to keep sanitation somewhat in place.*

❖ *N5-41: One of the Aramark employees just got fired, and the reason that he got fired was that they were fudging the water temperatures for the dishwasher, when they run the dishwasher apparently there's some kind of stick, I don't know, that they're supposed to put in there to test the temperature.....well, instead of putting the stick in the dish water, he was taking it over and putting it in a pot of boiling water [to register a temperature for proper sanitation].*

## Theme 2: Inmate Response

Officers described the response by inmates to the privatized food operations. Inmates protested the decline in food service, with both conspicuous demonstrations and quiet acts of subterfuge. Another response was to fill the vacuum created by the loss of administrative authority in the kitchen, and opportunistically control operations. Gangs infiltrated the system, and inmates took advantage of the inexperienced contract workers to steal food and other kitchen items, engage in sex and accelerate contraband trafficking.

### 2.1 Inmate Protests

Of great concern to COs are collective protests by inmates. Bellicose individuals can be handled through persuasion or discipline. Combinations of angry inmates, in contrast, are the foundation for widespread revolt. Officers report a variety of inmate protests, such as refusals to eat, strikes, and sabotage.

- ❖ *D1-72: You remember on chicken day, waffle day, the big value meals, if you're the last unit every day, and you [an inmate] get short changed and you don't get that chicken, and they give you peanut butter and jelly instead, you're going to get mad because it happens to you over and over.*

*RZ1-72: Do the rest of you feel the same way?*

*Several: Yes.*

*G1-72: And in reality how could you blame an inmate, how could you even blame them? I mean really you couldn't.*

*RZ1-72: Have there been inmate protest because of this [food privatization]?*

*Several: Yes*

- ❖ *S2-9: What happens is you get 100 guys that don't get the waffles and sausage, which is every other Saturday, they get pissed off and then they're going to have a sit-down strike. 'So you know what, I don't get no waffles and sausage, I ain't going nowhere, and I got 100 guys standing behind me that's going to do the same thing.*
- ❖ *D4-18: Yeah and months or so ago we had one of our segregation units where they serve the trays through the slots, some guys didn't give the trays back so they ended up actually using chemical agent [method to quell protests] on some of them in the unit. So you know that was a repercussion of the food...*
- ❖ *J4-4: In our facility there's been few times where the food has come and the prisoners refuse to take it. And we're still level 1 and you would have to tell them take it or leave it and they would just take the tray and walk over to the rack and just dump it and leave. They're not happy with the food. When you got 30-40 guys in the line and they're all bitching, it's hair-raising.*
- ❖ *A5-33: And I don't know how many demonstrations the inmates have had throughout the state since Aramark took over, and they've been peaceful. They come in, they sit down.....they all go up, get a tray, sit down.....they just sit and refuse to leave the Chow*

*Hall until they can meet with someone or talk to someone, and then they get up and leave, but it's been situations like that that have occurred so far.*

Inmates were aware of Aramark's complicity in the decline in food service, and protested in ways that create chaos or added costs for Aramark. One form of protest is the refusal to perform prison assignments, which interfered with other aspects of prison operations.

- ❖ *T5-36: At our facility, we have seen the Level 2 side of our facility, which is approximately 400 prisoners, they've come through the dinner lines asking for the sub or the vegetarian meal, knowing that Aramark only makes so many a day, that they will run out. We've also had some smaller groups do sit-downs in the Chow Hall.*

*RZ5-36: So the prisoners are aware that Aramark runs out and they actually kind of create a situation where they run out of certain foods?*

*T5-36: Basically yes. They're protesting the fact that Aramark, because our Level 2's are the last ones to get fed every day.....*

*RZ5-36: Right.*

*T5-36: They're the ones that are always getting shorted on the meals...*

- ❖ *J4-19: At our facility the potatoes were so bad one time that prisoners when they got their trays to the table, they ate the rest of their food and dumped the potatoes on the floor. The whole floor was just covered in potatoes. That makes a risk for everybody that may slip and fall and stuff and something could happen in there.*
- ❖ *J3-47: I think there's a little of sabotage with the inmate workers because I don't believe that they want Aramark there, you know what I mean, so if they can, because generally the food was better and they know this about the state, right. So when Aramark was set to come in, and there was rumors flying around, 'Awwwww, your food's going to be crap,' and blah, blah, blah, they actually didn't want Aramark in here. So I do believe, and I have witnessed, there is a level of sabotage with the inmate workers that are working in the kitchen to sabotage Aramark.*
- ❖ *A5-76... the inmate workers know, when they want to screw around with Aramark, they make it so easy for them because they don't [count trays accurately], 'Yeah, I put 50 trays on there,' but they won't count them again.*

*RZ5-76: So the inmates are trying to....they know Aramark gets paid based on the trays...*

*A5-76: Yeah.*

*RZ5-76: They're trying to screw them over....*

*A5-76: And then when the meal's over, we got to do the report and the report's based on their tray count and our count through the computer, through the scanning station, and they can never figure out why they're off 30, 40, 50.....one time they were off 100. How can you be off 100? Well it's not hard.....two stacks of 50 trays, they told you they put them out there and they didn't.*

*M5-76: One of the games they [inmates] had ... is they come through there and say it's, I don't know, Taco Day and they want extra meat and cheese, they'll grab their tray, the inmate will say give him another tray, they'll drop the tray, they call it "dropping trays," they'll grab the tray, take the meat and put it on there, and then the tray's sitting there and they put it behind there, and then at the end of the day you go back there and there's 50 trays laid underneath on the ground back there. They get counted as their total, but they don't get scanned in twice for OMNI.*

- ❖ *G1-25: I work van crews. I get a detail of inmates in the morning, take them out, and assign an outside facility. We work in a town right by us. We used to get meals. The trainers that went off ground used to eat good because they were working all day. They've worked you know 6, 7 hours a day. They would get good meals, now they get, they get crappy meals, one way it's affected them, they don't want to go on van crews anymore because their food is, you think the regular inmate's food is messed up. Try getting the guys that go out on van crews. Their meals are really messed up.*

*RZ1-25: Why would they get messed up more?*

*G1-26: [Meals are] put in food coffins, and if that crew doesn't go out that day, it don't get changed out. The same tray is waiting for them that was packed 2 days before in the same tray. They got assigned trays, big food coffins, got their detail right on it. Inmates load it up, if it doesn't get taken out you would think that somebody would go in there and take it out and rotate the meals. They [Aramark] don't, it stays in there if the detail doesn't go out that day.*

*RZ1-25: So the food they would eat could be 2 days old?*

*G1-26: Absolutely.*

## **2.2 Competition for Kitchen Jobs**

When any essential commodity becomes scarce, access to that commodity becomes more valuable. This was the case with food. Inmate assignments in the kitchen became prized for access and control over food stock.

- ❖ *G1-5: The guys [inmates] in the kitchen eat better than anybody in the camp.*
- ❖ *J4-49: We had an incident, it happened last week and the week before where we had I think beefy noodle casserole and the prisoners told the stewards we're going to run out. So they brought out, I think they served the last 40 guys peanut butter and jelly. Well when the chow hall cleared out and the general pop left, the kitchen workers eat last. What'd they bring out? They brought out beefy noodle casserole and put on the line and sat down and ate it. When the population should've got that and they should've gotten peanut butter and jelly. That happened twice, maybe three times, in the last month.*

*RZ4-49: So is that one of the privileges of working in the kitchen then? That you make sure you get what's on the menu? I mean your food is basically the best.*

*J4-49: I mean we had a problem of running out of food because they were over serving, or prisoners would look over their shoulder seeing the food steward handing a guy two cookies when we're running out of cookies. ... I was told that they [inmates] hid the pan*

*and then when the GP [general population] left they brought the pan stuff out so they'd get the good stuff. Or they would put more meat into it too. I've seen them do that, the prison workers would save that pan for later will put the double the meat in there but then the officers are eating and they'll put that pan out first so we get double the meat too. But then they'll just turn around and hide that pan so nobody else will get it.*

*S4-50: You know that's just a tool that you could use that was taken away. So yeah the kitchen a lot of people liked working the kitchen because it's a food thing.*

*RZ4-50: Food has value.*

*S4-50: And they're going to get extra stuff, I mean it happens.*

- ❖ *D3-30: ... and on top of that, one of her [Aramark supervisor] employees is letting these 4 prisoners, eat 3 pieces of chicken on each tray, but yet they're running out of food. See where there's a huge gray area. Her own employees are backstabbing her and she doesn't even know it, and she's blaming it on the officers.*

*T5-30: Yeah, they will.....you know, they'll produce all of their food for the dinner, and then next thing you know, the Chow Hall should be getting cleared the inmates should be completing their assignments for the day, but after they \_\_\_\_\_ Chow Hall, then all of a sudden you'll see one of them pull something out of the oven, and then you'll have 7, 8 inmates that were standing around for over 20, 30 minutes eating their special dinner before they even do their assignments. So at our facility, it's actually delaying me from doing my other duties and responsibilities that I have to carry out for the rest of the night, and it's also causing the Aramark staff to stay later, getting paid by Aramark because they can't leave until the prisoners are all gone and the Chow Hall is finished.*

Markets for contraband exist within any prison. With food portions reduced and quality down, the exchange value of food in the prison system escalated. Inmates would give larger portions to their friends in the serving line as payment, or to avoid personal harm. Contractor staff failed to police the unequal distribution of food.

- ❖ *D3-30: I actually had our food service, our leader [Aramark] come through and she was very upset, which she kind of does this on occasion, so it's nothing I'm not used to dealing with, and she basically said to me the one day, I was angry, and to keep the peace I just kept my mouth shut because I wasn't going to start a war in the kitchen, she's like, 'My food cost is off the charts. It's way higher than it's supposed to be, and it's because you officers....' And she points her finger at me, '...ain't doing your job.' She says, 'You are not watching the portions. You are not watching what's being stolen out of the kitchen,' and I was like.....*

*Someone: That's not your job.....*

*Someone: Portion control is not your job.*

- ❖ *G1-21: The kitchen workers save it [better food] for the laundry workers so they can get the best clothes. The laundry workers save the best clothes so they can get the best food.*

- ❖ *A5-15: \_\_\_\_\_ made a good point about the extra chicken. Guys have had 4, or 5, 6 pieces of chicken because it's money. They're paying their debts with the food in the Chow Hall that they owe people.*

*RZ5-15: Ok.*

*A5-15: If they don't.....if they're getting this, the peach cobbler, and the guys in the 6<sup>th</sup> units don't even have none available, well, the guy that he owes money to isn't going to take a stale 3-day old brownie as a payment on the debt when he was looking forward to the peach cobbler and ice cream, and that's something that is major with the good food items that they have on the good meals is the paybacks for debts that are owed from one inmate to another. That Aramark doesn't understand.*

*RZ5-15: So, food has currency?*

*Several: Oh, yeah.*

*RZ5-15: A barter system?*

*A5-15: Absolutely.*

- ❖ *S4-48: Yeah we had a meal one time where we're having tacos and they ran out of tacos and substituted something at the end of the meal. Well as the last prisoner came through and the last unit got whatever they served and they're sitting down in the chow hall, one of the Aramark employees who was working the serving line had sat aside his tacos, not two but four, twice the amount you're supposed to get and goes and sits down at the tables for the officers eat and proudly ate his 4 tacos in front of the remaining people. The prisoners in the chow hall didn't eat tacos because we didn't have enough, but this jackass had 4 of them. It's like dude if you're going to do that, wait until the chow hall is empty before you go and eat your 4 tacos in front of them that we don't have anymore. I mean come on, common sense.*
- ❖ *B3-21: ... they get certain prisoners, who are serving, and they're telling them, 'Hey, give me this.' 'Give me this,' you know, 'Give me extra this,' ok, and we're watching them, next thing you know, we catch them give out an extra hamburger patty. Well, you can either fire them on the spot, counsel them, or whatever.....next thing you know they're short of food, they're getting less rations, they're not getting as much as they used to. You got to remember 27 years ago, we had a lot of food, we had salad bars, we had you know, pop, coffee, you know the state provided a lot for these guys. Pretty soon they started diminishing a little bit by little bit, and now we're at where we're at. Well if they say, 'Hey man, no. This is my job.' 'Well, I'm getting you on the yard.' Next thing you know, this guy's getting thumped out on the big yard because he wouldn't give out an extra hamburger patty, you know.*

*RZ3-22: Thumped? Beat up?*

*B3-22: Beat up.*

## **2.3 Theft of Food**

For inmates, one advantage to a position in the kitchen was access to the food inventory. Theft of food accelerated, which was then sold as contraband elsewhere in the system. Officers perceived the rise in theft as a function of contractor employee inexperience. Theft of food was a factor that moderated inmate disapproval of privatized food.

❖ *RZ2-30: You've seen an increase in food theft?*

*L2-30: Drastically. Every time we leave burger out, we lose 40 lbs. right off the back at \_\_\_\_\_.*

❖ *D5-22: Basically with two [Aramark] in the front and nobody in the back, you feel more of a, a need, obviously to be in the back where no Aramark staff are present. I mean breakfast is pretty simple and it usually happens at breakfast, but still I mean if they're left to themselves and nobody's in the area supervising, then they're [inmates] more apt to take things, they do pretty well on the meal surges, but I mean, they don't create a meal surge.....they do pretty well on the meal, but if you leave them unsupervised for any length of time, it just gives them opportunity to do other things that would cause other problems.....taking stuff from the back.....*

*RZ5-22: So theft? You're saying more theft?*

*D5-22: Yes.*

*B5-23: We've had thefts that come straight from the produce truck or delivery truck straight out the door. They got in there one day, I think 300 lbs. of beef and 20, 2 10 lb. rolls, walked straight off the back dock, straight through the Chow Hall off the damn ramp. How did you let 20 lbs. of beef never make it to the commissary? The lady that was standing there was just standing there like this.....and she wasn't turning her head. They were looking at her when they walked past her. They made a joke and said that they were going to make a joke a go left instead of going right. They made the left and she never looked so they kept going*

❖ *D1-22: Like hot carts that go out to feed in 600 and 1200, they'll have the back side of the trays packed full with green peppers and onions, and you can't see them when you open up the door, and so if the officer at the other end doesn't watch them pull the trays out, then you'll have all that food goes out. They'll be tubes of hamburger all stacked behind them you know, and that's how they get it moved around. Theft and control by inmates.*

A popular theft item is sugar, juice concentrate, Kool-Aid mix or other organic material for the manufacture of ethyl alcohol, known colloquially on the inside as "spud juice."

❖ *T2-30: The juice concentrate's a big ticket out of there for them to steal. They have these boxes like this. Each box makes....gosh I don't know.....so they take the concentrate, they steal it, go to the housing units, and they make alcohol out of it. So because of that you're running into drunk inmates in the housing unit and the repercussions of that, the fights, disorderly conduct, and then that takes up our time there. So you're seeing an increase in intoxicated inmates and what to do with these guys, so it affects us on the compound in that way.*

- ❖ *B3-15: They know, as long as they can keep that Aramark person, personnel busy, it gives them time to get this going, get a box of Kool-Aid, they open up a box of Kool-Aid, shoop, there goes two big bags, which makes like 40 gallons, you know, of Kool-Aid.*

*J3-15: It's manipulation tactics to get what they want. They're all about getting what they want because all of that stuff is worth money in prison, all of it.*

*B3-15: Right.*

*J3-15: So if they can get, you know, concentrated oranges, orange juice out of the kitchen, it's \$20 a box or whatever they get for it, I don't know what it is, but they get money for it all.*

- ❖ *T5-47: Our "spud juice" at our facility since Aramark has taken over is probably 1 out of 10 times. Back in the day, if we caught a prisoner that was drunk off of "spud juice" it was usually because he kept his orange from his chow lines, you know, for a few weeks, he keeps taking oranges and he makes his own little batch of "spud." Now we're getting \_\_\_\_\_ on our, in our population yard of inmates with cups of "spud juice".....all basically products that were taken from the food service used to make the "spud," and we'll have 6, 10 guys sometimes drinking on the yard.*

*RZ5-47: And when they get caught with "spud juice," do they get punished?*

*T5-47: Back before Aramark took over, the prisoner was usually taken down to segregation, and they would monitor them for at least the night. They'd receive a major misconduct ticket and things along those lines. Now it's almost been so common place that they just take them to seg [segregation] and then let them out, maybe in a few hours.*

*RZ5-48: Ok. Are you seeing also more "spud juice," more theft of food, and.....*

*B5-48: Yes. A lot more.*

- ❖ *S4-11: A good example yesterday, we're running our lunch lines and during a lunch lines in the dining room there's double doors that separates the dining room from the back of the kitchen and those double doors are shut at all times during chow-lines to keep the dining room separate from the back of the kitchen where the foods prepped. And they say they run out of Kool-Aid so they have these packages, I don't know they're 5 pound packages in bulk of Kool-Aid, so the food stored the Aramark guys, say oh we need some Kool-Aid! And because one they didn't make enough to start with, there should be 2 big containers out there, they had one, so I knew they were going to run out. So the guy goes back in the dry food area and gives three packages of Kool-Aid to a prisoner, which they're not supposed to touch this stuff and then it goes out through the cold box that's also locked and I have to unlock it and they give it to the food store, here's your Kool-Aid. Well 5 minutes later an officer that was working out in the dining room comes back in the back of the kitchen and pulled the two packages of the Kool-Aid. He's like what is going on here? I'm like where'd you get that? One guy came through and he had it under his tray. So I asked the Aramark guy where's your Kool-Aid? He's like uh well we put one in the compel and he had one. I'm like your Kool-Aid is walking around the kitchen right now, it's gone. It's stuff like that I mean you just set it down and the stuff goes and they don't get that. Too much trust for the inmates.*

## 2.4 Gang Control of Kitchens

In some facilities, gangs control access to kitchen jobs, and inmates that want entry have to pay tribute. Inmates that are not gang members are endangered or their protests are muted. Gangs coerce workers into smuggling food; these “mules” are typically younger inmates.

- ❖ *T2-68: So if a group is controlling that [theft of food], are they going to riot over the quality of food? No, because they're making money. 'You suckers can sit there and shut up.'*
- ❖ *D1-20: We have an inmate that hires all of the kitchen workers. Aramark doesn't hire the kitchen workers...He hired all Muslims to work food service. Then they were squeezing everybody, if you weren't a Muslim, you had to pay to work in food service as well as eat. And we just finally broke that group up.....*
- ❖ *D3-20: They're [inmates] picking and choosing who they want to work for the kitchen.*
- ❖ *D3-25: ... a lot of times as an officer you can, you know, throw out a joke or a wise crack at some of these guys and they'll give you information without even realizing they're giving it to you, and I had talked to one of our white employees in the kitchen, not Aramark of course, one of the prisoners, and I said, 'So,' I said, 'How much are they charging you to work back here?' And he says, 'You don't even want to know,' he says, 'I'm going to have to quit my job.' And that's of course exactly what he was talking about is it's starting to be primarily the hiring and firing and what not being done by, not the firing so much, but the hiring being done by the prisoners. They're starting to set up their own little clique back there, and it's going to potentially be very dangerous because keeping the prison un-unified as the prisoners is what keeps us safe. As soon as you unify them and get them in a group together, then our job is dangerous.*
- ❖ *P3-8: The [State] food service ran the kitchen. Now the prisoners run the kitchen. If they want something made, they don't care what you say, they're gonna get what they want, they make their special foods back there, the kitchens are filthy, they run the kitchens, they tell Aramark what to do. So I don't know about your guys' kitchen, but MSTA is running my kitchen.*

*RZ3-8: What's MSTA? Just, I want to make sure.*

*P3-9: It's Moore Science Temple Gang Group. I have a gang running my kitchen.*

- ❖ *P3-19: But one thing I would like to bring up is, I don't know if you guys at your prisons, but we have a prisoner, or one of the MSTA's that run the office, now it's the Aramark office but they still have paperwork unattended, all day long, in and out the door, door unsecure, and he does the hiring of the prisoners. I have a prisoner hiring prisoners to work in the kitchen, so to me, that is a big security issue when I have one prisoner bringing in more MSTA prisoners, and guess what we've probably got, probably got 98% blacks and 2% whites that work in the kitchen, so if you're white working in the kitchen you probably wouldn't even last very long before you get stuck.*

*W3-20: When we had state workers, they seemed to try to be racially balanced.*

*RZ: Stuck?*

*P3-20: Stabbed*

*P3-20: So, one of my biggest things on security is, I cannot believe I'm sitting here watching a prisoner interviewing another prisoner for a job in the kitchen.....with no Aramark employee. They leave it up to him.*

- ❖ *B2-37: We just rode a bunch of guys out because of the gang involvement is coming in, and you get a certain amount of a group of people together with nothing to lose. And you put them in an area with all the weapons, the most dangerous place in the institution is the kitchen, all them knives, you have access to all those. They can get to them.*

Gang influence was attributed to contractor employee inexperience and lack of training.

- ❖ *J3-26: Yeah, like they were saying, it's like that everywhere, but as a Corrections Officer you recognize [gang behavior] so you can keep control of this. As an Aramark employee, they have no training on it, and they don't recognize that hey, MSTA is actually running the kitchen, you know, they have no clue.*

- ❖ *BN2-85: Well they [Aramark employees] knew when they came in, they [gangs] were going to be working our operation. 'This is what you do,' we've told it over to them. The inmates basically run that kitchen now. They run it, and there's no way of getting around it. Maybe it's just at my place, I don't know, but the majority of these prisoners working in there are smarter than a majority of Aramark people.*

- ❖ *D3-69: As officers, we watch what the prisoners are doing, we can smell it. When this prisoner's over here and he doesn't belong there, that's what we watch, that's what we do for a living. We know, ok, something's going on with that guy, he's not over here where he usually is. He's over there, and two guys are looking at each other funny from across the hall. Those are things we took care of, keeping people safe and other officers safe, keeping the thieving from going on.....there's none of that going on now.*

- ❖ *B3-55: They're all.....you know, MSTA is Moore Science Temple of America.....*

*P3-55: That's what I'm trying to do is trying to bust up the gang in there because every time I get rid of somebody, Aramark wants that person back. 'He was the number 1,' ....you know, I'm like, 'No. He's not coming back.'*

- ❖ *T5-50: Where I've got into gangs with the food services, about the first 8 months after Aramark took over, I was trying to help oversee the rosters, on which inmates actually got jobs working in food service, and like where they were assigned in the food service building. I kind of got told to stay out of the Aramark's business because it is Aramark's responsibility to run the rosters and who works where.*

*Someone: Right.*

*T5-50: While I was in charge, or I was helping, assisting with it, I was making sure that we weren't getting too many of the Bloods or the Crips or you know, Spanish Cobras, we were trying to, I was trying to keep it to where it was kind of a balance.....we could keep them separated, you know, instead of now with Aramark running it, all 7 of my cooks and my skilled positions are all one kind of gang, all of my dish machine area is another*

*gang, you know, so they're running their own little section of the Chow Hall now, which we never used to allow that to happen....*

*RZ5-50: I see.*

*T5-50: And it is very noticeable now in the facility.*

*M5-50: Yeah, the same thing at our place, that was happening, and then they kind of took it out of Aramark's hands as far as who they were hiring, but now what happens is the Aramark, they're promoting people and moving people out and all the rest of the gangs, you know, you can walk in there and take a, 'Ok, they must run this,' and, 'The young kids here,' and, 'There in this,' it's crazy, and then there's a big long waiting list because it's the job to have, is the Chow Hall right now, because they all want to be in there because there's extra food in there, you can maybe get drunk, they're going to maybe have some sex, there's a lot, you know, than before.*

## **2.5 Inmate Manipulation of Contractor Employees**

Officers stressed the importance of maintaining a professional demeanor, which entails an awareness that inmates will try to manipulate corrections staff into changing inmate work assignments, distributing favors and committing violations. Various tactics are used to control food operations and gain favors from prison employees. One is to exploit personal divisions among corrections employees and contractor staff.

- ❖ *G1-37: This one little smooth operator dude just walked in and fed her [Aramark worker] any line he was giving her....*

*A1-37: It wasn't even serious, I mean.*

*G1-37: And then all the other inmates thought he was Bosso because he was getting all of the food. He was probably bringing food to them every day, and he had a girl.*

- ❖ *L2-18: The problem that we have is these people don't have the mentality to deal with the inmates. They're treating them like they're normal every day citizens out in the world like everybody here.*

*Someone: They're coworkers....*

*L2-18: You can't do that inside a prison, ok. They [inmates] will lie to you, they will manipulate you, and they'll do anything they can do to take advantage. These people are going in there and talking about how they went to the bar last night with their girlfriend....how they had a fight with their boyfriend, or how they're getting a divorce, or.....they're talking about all this stuff. The department teaches you, when you go through the department training, you don't talk about that.*

- ❖ *A1-34: It comes down to manipulation. The Aramark has 15, 20, 40, they're saying, inmates around them. So these inmates are basically manipulating, 'Oh, that guy don't know shit. He's only worked here.....he don't know nothing.' So they've got all these inmates telling them, and yet one guy that really knows what he's doing, but they don't want to listen to that because they're listening to these inmates in their ears for you know, because that's all they listen to because they, they have nothing more to do than try*

*to manipulate them, and they know that he can't be manipulated, so they manipulate the Aramark because they're too easy.*

- ❖ *P3-31: And another thing that Aramark always do, is they fight so bad amongst themselves, and they fight in front of the prisoners and they have no idea that all of them prisoners are listening to every single word.....*

*D3-31: Feed off of it....*

*W3-31: They say....*

*P3-31: And they pin each other against each other, and as days go on.....I went in there one day, and one, she [Aramark employee] starts screaming because she wants this one Aramark employee fired. She actually came up to me and wanted me to find anything I could on him to fire him. That's not my job. These guys are creating their own safety issues because every single one of the prisoners know who does not like who and they just.....*

*W3-31: And plus, they put their business out there....*

*P3-31: Everything.*

*P3-31: They.....you know, 'You're an Aramark employee and you're an Aramark employee, and you two don't like each other? And hey I think we'd get more out of you....'*

*D3-31: They drive a wedge....it's impressive.*

- ❖ *T2-54: They're [Aramark employees] involving the inmates in their conversation. An inmate, \_\_\_\_\_, said to me and I forget who else was standing there. He says, 'You aren't so bad,' and he's talking good about the whole kitchen or whatever. 'I got to choose who to go with. The dangerous one, \_\_\_\_\_, or the power, \_\_\_\_\_, and I guess I'm going to have to go with the power.' They have two different factions because these people hate each other, and so the inmates are just outwardly saying whose team they're on. It's like Twilight. Am I Team Edward or Team Jacob?*

*B2-54: it's literally entertainment. It's entertainment...*

*RZ2-54: Teams between the Aramark employees?*

*Someone: Yeah.*

*B2-55: When you've gotten into food service you got groups coming in, if you can get them hired in certain places, kettle roll, dish tank, commissary, well they start running that side of food service, and that's it. When you can get people fighting with each other, the divide and conquer, that's the best thing they can do there.*

*RZ2-55: And the inmates think that?*

*Someone: Yeah.*

*B2-55: Yeah, that's because they've been doing it for years. With knowledge of learning about these kind of things, and, 'Why is he so nice to me,' you learn over a period of time, it takes years, that nobody's going to help you out without getting something back in federal prison. No one's going to be helpful. And if someone's going home, they may do a good job because they want to get away, but a lifer...he's going to help you out because he wants something in return. You're never going to be his best friend just because he needs someone to talk to. He wants something from you.*

*RZ2-55: Right.*

*B2-55: And these people [Aramark] don't understand that because when you try, 'Hey, go away. You don't need to be sitting around the Aramark employees so much.' Well you're the bad person now.*

The custody and security mission is harmed when there is disunity between prison staff. A serious manifestation of divide and conquer happens when inmates persuade contractor employees to take sides against officers. Over-familiarity between contractor employees and inmates is often a factor.

- ❖ *BN2-34: You know working side by side with those kitchen stewards, when you were concerned about some stuff or you thought something was going on, you could go to them and say, 'Hey, keep an eye out,' so and so you know, whatever. Now any concerns, I cannot go to any of them Aramark people with any concerns because it's just like going to a prisoner.*
- ❖ *N5-26: I think that happens a lot in our facilities because the Aramark, they're not thinking of themselves as supervisors, they're thinking of themselves as coworkers with these inmates. A lot of them, you know they, 'Hey, how's it going?' 'Hey, Jimmy.' 'Hey...,' whatever, and they're kicking it with them mostly, whereas the previous food service through the state or state officers, we understand that there's a barrier. You can say hi to the inmates. You can be polite, kind to them in certain ways, but you can't....they're not your friend, alright. These guys are never going to be your friend. They're going to act like they're your friend, they're going to try and be your friend, they're going to try to get information from you, but it's all a part of that set-up. They don't care about us. They don't care about those Aramark people. They're just using them as much as they can because what else do they have to do.*

*RZ5-27: So do you see this affecting other areas of the prison beyond just the kitchen and the cafeteria area?*

*N5-27: Yeah because I see them, you know, when Aramark people are leaving for the day, most of the time as they're walking from the Chow Hall up to the front to leave, there's an inmate walking with them. You're not going to see that, no inmate is going to walk with me, like I might walk with \_\_\_\_\_ there [an officer], like we can be friends, but I'm not going to walk with some inmate. I might talk to him a little bit, but I'm like, 'Alright, you got to go now,' you know. 'We're not kicking it,' you know, and these Aramark people, they walk, they joke, you see them, like they look like they're just having a stroll on the park, and you see that a lot.*

*RZ5-27: Do you feel like the Aramark workers are more on your side or on the inmates' side?*

*N5-27: The inmates. Definitely the inmates' side.*

- ❖ *D3-30: The food stewards before understood, when we said we need this to happen because of this, they understood and they worked with us. Aramark employees completely, I told one of the ladies a while back, I said I was going to fire a guy because of some of the things I had seen him do. Well she ran right into the back and told this guy what was going on and next thing I know the guy was up front talking to me, he's like, 'What's wrong? You're going to fire me because of....' this and that and this and that. I'm like, 'Hell yeah that's what I'm going to do.' But she skirted right to the back to tell this guy because she didn't want him fired, and this guy was clearly in the wrong, and I just sit back and I deal with some of this stuff and I'm like, Oh my gosh....I can't believe that just happened.*

*W3-30: That would have never happened with a state employee.*

*D3-30: No. Absolutely not.*

- ❖ *BN2-89: It is definitely more of a combined Aramark-prisoner team concept thing now.*

*Someone: Yeah.*

*BN2-89: I've heard more than once, 'You just want to see us fail.' That's a prisoner telling me this. 'You just want to see us fail.' Well, he's referring to him and Aramark.*

- ❖ *T2-17: I can guarantee you after 2 days of them starting working there, they [Aramark employees] went home and said to somebody, 'You know, those inmates aren't so bad. Those officers are jerks though.' I can guarantee you they're already starting to identify with inmates that quickly. Just the other day we lost one. She liking an inmate. I couldn't figure out why she got mad at me so quick, it's because I specifically warned them about this inmate how manipulative he was and how devious, and sure enough, that's the one she fell in love with. So they found love letters, and they called for her in the inspector's office. Well she tricked them. She didn't go to the inspector's office, she left the compound. She didn't want to get walked out. So they were wondering where she was at, she's gone, she's down the road. She text her friend who works there, 'Hey, tell inmate \_\_\_\_\_ that I love him and give him my phone number.' So you wouldn't text that person unless they're already in on the gig with you.*

## **2.6 Anatomy of a Set-Up**

Collaboration between prison employees and inmates involves a psychological process, referred to in the industry as “anatomy of a set-up.” Often COs would try to educate contractor employees about this threat.

- ❖ *RZ5-24: ... what is an anatomy of a set up?*

*D5-24: It's just the process in which a prisoner will manipulate the staff member to do what they want them to do.*

*RZ5-24: Ok, and it usually happens slowly through small favors and then grows into a dependency, is that.....*

*M5-24: Yes, and the situation yesterday, it's just like, 'Oh, I'll protect you. I'll look after you.' 'Oh ok, thanks, you know it's a little inappropriate, but it's not the worst thing in the world.' Then the next day, he might, 'Oh, you know, I remember one of the worst things about being in prison, I just want some cologne or some, I want to.....,' you know those little bottles, and then they bring in that, and then maybe in the next couple days, 'You know, we can't get tobacco. Can you get....,' 'No I'm not bringing in tobacco. I can't do that.' 'Well you already brought me cologne, you know on that camera, and I know what time it was, you know,' and then, 'Well, I guess I better bring some tobacco in then so that you don't tell on me,' you know. And then it's just all downhill from there. That's how they do it. And they don't have the training like we have to recognize that, you know.*

*RZ5-24: So inmates will tell a worker that they will protect that person from other inmates?*

*M5-24: Yeah. So look after you. 'We'll tell you what's going to go on. Stay with us,' and blah, blah, blah, and then you know, it's the anatomy of a set up. That's where it starts, and then it...oh, maybe they're going to do something a little more, and then before you know it, you're bringing in drugs or you're, you know, it's really easy to set someone up that way.*

- ❖ *T2-57: We're susceptible. I got 19 years in working in some pretty rough units....some of the roughest the department has....and they're all susceptible. The minute you think you're not susceptible, there it is. You are. You're going to have your favorite little inmate working for you, you porter, and you've got nothing to do but an eye on this guy, next thing you know he's doing stuff behind your back. You have to be aware of that stuff.*

Gaining the trust of a prison employee begins with gestures that endear the worker to the inmate, including behavior characterized as over-familiarization. Once trust is established, an inmate coaxes or extorts favors from the corrections employee.

- ❖ *BN2-26: I mean these girls are getting the attention they never got in the world, and they're getting a lot of it. And they are seeing the best of the prisoner. Prisoners are all smiley, they're making sure they shine their shoes....*
- ❖ *S4-11: To me they trust the inmates like they're working over at a family fair. This isn't a family fair this is a prison. These guys, you can't trust them. And they do!*
- ❖ *D3-55: I have seen some things borderline over-familiar that just turns your stomach to where, you know, one of the female staff members would be sitting with her legs out, I've seen this on a couple of occasions in the doorway of their office and the prisoner's standing with a leg on either side of her leg, and I would be like, 'Holy crap,' and they're just chattering. She's sitting in a chair just looking up at him, just chattering back and forth and it's just.....*

*J3-55: Oblivious to what the inmates are doing.*

*D3-55: Probably not. Doesn't have a clue, and in the first place, you're way too fricking close. Back up, you know, but they're not trained. They don't know. They don't get it.*

*They're being set up every day constantly all day long, they're getting overfamiliar, they're touching.....*

- ❖ *J3-65: I've seen Aramark employees like, a kitchen worker, an inmate kitchen worker, it's his day off right, so he's not in the kitchen. He's out in general population.....start running chow lines, and the guy will come in the kitchen, grabs his tray, sat down in the dining area with all of his, you know, the guys in his unit, and an Aramark employee noticed him sitting out in the dining room, 'Oh, hey.' Walked all the way across the dining room to fist pump the guy. 'What's up.'*

*W3-65: I was just about to say if we did that, that would be over-familiarization.*

*Several: Oh man.*

*J3-65: We'd get fired for that.*

- ❖ *G4-29; She was in the cooler and two inmates were goofing around and they were holding the door on her so she couldn't get out. So then when she came out though instead of being pissed or whatever, she came out laughing and joking with them like it was all funny you know. And I don't know if it was an officer, or who it was that saw it, but they said there's two inmates sitting in segregation right now and I don't know how it all went down but she no longer works for Aramark. I don't know if they told her that she was pretty much might as well resign and leave or if she was actually fired by Aramark.*

*RZ4-29: And that's the issue of familiarity between the Aramark...*

*G4-30: Over-familiarity.*

- ❖ *T2-95: Once they catch you on camera, or say you're getting paid by a family member, and they get.....I've seen an officer got pictures taken of her, out at the barn meeting up with inmate family members doing payoffs.....or if they do something with you in the back room, like we had a lady stand there, and the inmate slid his hand right across her butt like a husband would do his wife or something, just real casual, you know. And she didn't even flinch, and they just happened to catch it on tape. She didn't report it so she was gone, but say they do something on that camera, they get you compromising yourself, now I can come up to you and say, 'Hey, I need you to get me some of that juice.' 'Well are you going to give me the 50 bucks?' 'No, you're going to do it for free now because here's the thing I got the date and the time, and all I got to do is hit the, hold it and check the camera..... and I only know.'*

A valued favor a prison employee can perform for an inmate is to smuggle contraband in from outside the prison. Cigarettes, phones and drugs are commonly sought items.

- ❖ *BR2-56: We had a gal that was just put on stop order a month ago. She brought in her love letters for a certain individual. She also brought in tobacco because they tore his cell up, and found the letters that he had wrote to her, that he had made \$200 on the last tobacco she brought in.*

*S2-57: Keep in mind that a pack of cigarettes on the street is about \$6, in the \_\_\_\_\_ it's about what, \$75 for a pack nowadays?*

- ❖ *W3-55: When they [Aramark] first took over, we had what tobacco showing up left and right.....*

*Several: Oh, yeah.*

*P3-55: The whole place was smuggled right up, I was like, 'Damn, where are all those cigarettes coming from?' Then the Aramark employees starting turning over, boom, boom, boom, boom.....*

*W3-55: You guys had dope showing up for quite a while too.*

- ❖ *H5-32: Well, as a food service officer, you way more in tune to the red shirts now than you were the state employees. State employees were better trained. They went through the training that we go through. They went through our PA 415 training. These red shirts are coming in off the streets, like \_\_\_\_\_ said, the inmates are befriending them, and they're buying into the program. 'You're one officer, you can't help me. There's 6, 8 inmates here. They can help me.' We just had one who got fired because she brought in a cell phone, some dope, for the prisoner...*
- ❖ *D1-20: It's you always wanting to know where certain people are, you know. I got one, nickname \_\_\_\_\_ that we keep track of. We busted all the inmates that were with her with dope. They've all tested positive, but we haven't busted her yet.*

Smuggling contraband might be committed for a paramour, yet it more likely is a business arrangement between an inmate and a prison employee. Officers testified about the economic motives and their relation to contractor employee pay. Channeling in contraband became an offsetting factor to inmate opposition to food privatization.

- ❖ *B2-36: When you put a life who has nothing to lose, and you put a prisoner with a person who well, can make more money on the side than they make there, they have nothing to lose also.*
- ❖ *S2-92: ..Michigan's economy is tough, it's hard to actually find a job. You know you get.....Ford Motor Company is doing their cutbacks, so you got guys that were making \$25-\$30/hour, now they're on the market, you know. They need a job, ok. You get a 40-year old man that's looking for a job, ok you know what Aramark's hiring, 'We're going to pay you 12-14 bucks an hour.' If he happens to be a risk-taker or a thrill-seeker into other things that indulge his life to keep him going, he's making \$10 or \$12/hour but he's not able to pay his bills with that there, but you know what, this guy here goes ahead and uses his skills for what they say is an anatomy of a set-up. You just start making friends with those.....me being a person of Aramark...start making friends, 'Well, you know I'll make sure this guy doesn't do anything,' you know, 'I'll look out for you.' Next thing you know, a couple weeks later, he's like, 'Aye dude. Can you bring me a pack of cigarettes, you know I'll probably get you 50 bucks.' So you know what, bring in that pack of cigarettes he's like, 'That ain't nothing. You know what, 50 bucks man.....I need food, I got car payments, I got a house payment, you know.....you know what no problem.' Next thing you know, here's the pack of cigarettes I get 50, and then it just steps up from there, 'Can you get me some weed,' and you know, everything comes for a value and it's at so much higher inside so next thing you know, this guy might be bringing in a \$30 bag of weed that he could probably get \$400 for inside.*

- ❖ *S2-93: .....is that the Michigan economy, they offered a job to me, you know what if I was out of work, you know what.....and I couldn't find a job whether I want to work at McDonald's for \$8/hour or I'm going to work at Aramark for \$12/hour, I got to make money so I'm going for the highest dollar ok, that's what I got to do for me, but that guy that, that \$12/hour is not meeting his bills, and an opportunity presents itself to where he could make an extra \$300 a week cash. That's helping him but see in their mindset they don't realize that. My mindset, I've got a lot to lose being an officer making \$80,000/year, and then end up with a felony on my record. I'd never be able to find a decent job with that. Aramark, you know, I understand they got to hire people, but the point is they're making \$12/hour that brings huge potential for these inmates to manipulate Aramark people to bring contraband in, and everybody on that inside circle is making money until somebody gets caught.*
  
- ❖ *BN2-44: And when you have a group that manages to get a couple of these to bring stuff in, like the watch last week, when you get them to bring stuff in, if they run any part of these games and if they're one of the officers of their day, they will make sure that the people, the general population, doesn't raise a big stinker because right now they're getting what they want. They've got someone that's willing to supply some stuff, you know.....don't blow it, don't ruin it just chill out and.....*

### Theme 3: Divisions and Contested Turf

Conflict between officers and Aramark personnel was a major theme. This section outlines the major points of friction between the COs and contractor employees, which were perceived by COs as a factor that harms security.

#### 3.1 Neglecting the Mission of Custody and Security

Officers commented on how contractor employees would focus on the narrow task of food service without consideration for the larger mission of custody and security.

- ❖ *J1-11 Cleanliness aside, another one of my complaints with Aramark is they're not custody oriented. They have no, if you go in the back of our Chow Hall at -----, there's a back door that leads down to the segregation hallway where we go drop off seg [segregation] trays. Every, it seems like almost, well there getting better, but at least once or twice a week when I do my round, I will catch that back door unlocked. And their response is, 'Well, I'm standing right here, you know 15 feet away, dropping off seg trays.' I'm like 'If you're outside of hands reach of that door, it needs to be locked.' You know, they leave cart racks that got removable shelving on it that can be basically bent and sharpened. You leave a lot of contraband, well I don't, I consider contraband as, it's food service related items, but if it's out of the Chow Hall it's obviously contraband, whereas when it was state workers, it was always locked up when not in use. These doors were always secured, and things like that.*

*GG1-12: Just about a month ago, we caught one of the Aramark workers, she left the truck running. She was, she you know, the truck that they bring all of the food in?*

*RZ1-12: Yeah.*

*GG1-12: She left it running through the whole chow, through everything, and she said that the reasoning was that it broke down on her about a month or two ago before that, and she just wanted, if you could run it so it wouldn't stop running. Didn't have it locked. A running truck in a facility. On the back dock. That is the, that is never ever supposed to happen. Never. For no reason. Nobody was back there.*

- ❖ *T2-20: We actually had an Aramark worker, and this was just beyond the pale, the guy was lazy and he didn't want to carry some boxes talking about the \_\_\_\_\_ incident. Correct me if I'm wrong here, but this guy actually took an inmate with him to do the "quote on quote" heavy lifting I guess, which wasn't much it was just a little bit, took him up through, and our day officer's very busy. Now I guess they had some fault there, but they're very busy and they're overworked in doing 3 things at one time, and he come up there during a busy period around shift change, took this inmate through Gate 3. This is a Level 4 inmate, through Gate 2. Now you're in the most dangerous area of our facility. The only thing separating them from the world is Gate 1. He had the inmate, you could see him on camera looking around knowing he's not supposed to be.....*

*S2-20: And Gate 1 was open.*

*T2-21: Yep. Twice Gate 1 opened while that inmate was sitting [there]. A lieutenant come in and said, kind of questioned why he's there, and eventually they shot him out of there, but this Aramark worker is so un-security conscious, he escorted this inmate within*

*6 feet of this outside world with the gate opening twice. If this guy would have had a plan or anything he was gone. Just gone. It's unbelievable the things that they do.....*

- ❖ *W3-7: I mean just like I was saying about the security thing, I mean, because I stand chow lines a lot and we end up having to make rounds in the back. I don't know how many times I've walked back there and every cooler in that place is unlocked. When we had state workers, there were no such thing as a cooler unlocked unless there was a worker standing at that door watching what you're pulling out of it.*

*RZ3-7: and why does an unlocked--explain why unlocked cooler creates risks.*

*W3-7: Creates risks for getting inmates back there. Like you said, [inmates] having sex in the cooler, stealing food, take your pick. Hiding shanks or weapons, I mean, anything.*

- ❖ *D4-9: I have had them where they [Aramark] left the keys in the door and walked away.*

*RZ4-9: Keys in which door?*

*D4-9: In doors that are supposed to be locked, to the back dock, to the common area where the dragons are. All the doors are usually locked so if they got to get something they got to key it. You know you have to.. Wherever you go in prison you pretty much have to go through a door. You're either getting buzzed in or you're keying it yourself. So they leave it in, turn around and take their stuff over here, and walk away. You know, the keys are laying in the door. I go grab them and I can have them on me for 10 minutes and they won't know they're gone. Finally they go back in and looking and I go what're you looking for and they go my keys and I say where'd you put them and I say I don't know.*

*S4-10: Yeah, security issue with Aramark is probably the biggest problem for me. Working in the prison setting I'm constantly going behind them cleaning up their messes that they're leaving for me and I got enough stuff to do on my own. As far as messes I mean leaving doors open that are not supposed to be open, going against our policy of our facility where there's certain areas where it's constant supervision when an inmates in there.*

### **3.2 Disputes over Access and Control of Kitchen Area**

Officers described tension with contractor employees over control of the kitchen and storage areas. COs wanted access to enforce custody and security, but were contested by the contractor, perhaps because Aramark employees suspected that COs were complicit in theft.

- ❖ *G1-33: There's no doubt when you find a shank or something or a food item, you know it came from the kitchen. So, you go down there and you search it yourself. We don't have that freedom anymore, you can't just walk over to the kitchen, 'What are you doing over here?'*

*GG1-34: I can speak for myself, but I think everybody feels this way. You know at first, like you said, some of the state food service supervisors were our friends. We knew them, we worked around them for years. We hated the fact that they lost their jobs.*

*RZ1-34: Right.*

GG1-34: *But on the other hand, we wanted this.....Aramark to work because you know at the end of the day, we want to get out of there safe. ... you know I've tried to befriend them and try to talk to them, like you know, 'Hey, they're acting as your friend, so they can get over on you.' You know, they just won't listen, and you know, you try to tell them something like you said, they get an attitude. She says, 'Oh, this is my kitchen. This is how I'm going to run it.' No. When it comes down to it, that's our kitchen. And we're going to run it how we run it.*

- ❖ *T2-10: One of the things that I've seen when they came in was there's almost a more adversarial attitude from them to us than us to them, and they get, they want to protect their stuff from us. And I've seen them find locks that weren't even authorized to be in there, and put them on cabinets, put them on doors, and then we had discovered those weren't the correct locks tried to get into them, you can't. And we had to report them to the inspector you need to get these locks out of here. Do you understand if an inmate gets a hold of this lock, puts it on a commissary door, whoever in there is screwed until we can go get lock cutters to get you out, and they're like, 'Oh.' There's this general lack of knowledge about security, and yeah, it's difficult.*
- ❖ *T2-36: I had an issue recently where they didn't provide us the meal we were supposed to have on the midnight shift, so they had to make a substitute, or we had to go pull stuff and kind of make up a meal. So we did the taco meal, and I had pulled the can of beans and I opened it up. They told me, 'Wash them out, cut the lids off, leave it in the office,' they would take care of it. So I did that. Put it in the office, well in the morning.....*

*B2-36: I didn't know all of this either.*

*T2-36: Yeah an inmate went into the office when it wasn't being supervised, grabbed one of those can lids, which is about this big around and very sharp, stashed it in a mop bucket. \_\_\_\_ came in, found it in the mop bucket, turned it in, and the whole focus was why did \_\_\_\_ pull a can of beans that wasn't on the menu that night? That was the whole focus. Not that an inmate went into their office, grabbed the lid, and stole it to use as a weapon. See that's how they're seeing this. It's incredible.*

- ❖ *M5-54: I actually had an inmate complain to an Aramark person that, 'There's no inventory,' 'Ok, you give this inmate this tool, you inventory it out to him, and you write where it came from.' This one Aramark worker goes logging every tool out to one inmate, so it's just easier to write the same name down just, you know, being lazy. That inmate, 'I'm not responsible for all of these tools. Are you crazy?' 'No, no, you're going to be fine. Don't worry about that.' 'No, no. I don't want my name.....' 'No, you're going to be fine,' and then the Aramark worker complained to me, you know like, 'Why is he.....who cares?' I'm thinking, I don't want to take the inmate's side in this you know, but I don't really blame the guy, like, no you don't want to lose any of those tools in your name, you know, so it's tough. It's challenging because you don't want to, you don't know what to say in those situations, I've never been into situations like that.....*
- ❖ *B3-70: She [Aramark worker] wants to start this. I says, 'I'll go tear that thing down and I'll, you know.....,' I says, 'There's no way any of you guys are going to keep me from any room in here.' I said, 'Part of my job is I can go into any of them rooms anytime I want, shake down, and leave it a mess and you guys can clean it up.' I said, 'I'll shake down her office if she doesn't like it. So she needs to know this.' Well she talked to me a couple days after that about it, and I wouldn't even let her talk.*

- ❖ *BN2-25 I've had, literally I've had prisoners come to me because they have an Aramark office. Now that used to be a joint office, custody office with food service people, now it's just an Aramark office because it's really not an office, it's a lounge. It's a prisoner - Aramark lounge. So we can't keep our log books in there anymore because they have no control in there.*

### 3.3 Disputes over Inmate Worker Assignments

Participants could identify power relations among the inmates, including the infiltration of gangs, and would try to remove inmates from the kitchen for disciplinary reasons. Aramark supervisors objected, often because of over-familiarity. The COs observed lax rule enforcement concerning the inmates and sought greater control over inmate assignments.

- ❖ *GG1-9: The inmates have gotten over on Aramark. They tell them where they're going to work. They tell them what, you know, what they're going to do, and how. I mean, I come in and I see 5 people sitting, 5 inmates sitting down, and only 2 people working, 2 inmates working. It's like what's wrong with this picture? Get them up and get them doing something. Clean, get a mop, get a broom, do something, clean. They can do something, you know instead of sitting around, and they just look at me like 'Well, you know, they got, they're going to do something here in a few minutes.'*
- ❖ *B2-15: The old employees enforced those [prison] rules. Those were the rules inside the kitchen. Now Aramark's here, they don't want to enforce those rules. 'That's a custody issue. That's a custody's problem. We're here to make a meal, and these are our coworkers,' what they refer to inmates. They're not wanting to be in charge of the inmates. They're their coworkers to help them, you know, produce something. They don't want to shake them down. They don't want to, they don't care what they're doing, or what's involved, they just want to be their friend. This is their buddy. They're.....I hear all the time, 'Well they're human.' Yes, they are, but you're in charge with safety, so we're not getting stabbed in the back by somebody, or being sexually assaulted. Well that's a continuous argument with them back in the kitchen area that, you know, 'They're not going to do nothing to me because I'm just here to help them.'*
- ❖ *D3-10: ... you were saying that MSTA's running your chow hall, we've got the same thing going on, we've got, I've got four guys back there that I'm positive are running everybody else, they're stealing, you know, they're manipulating, they're very, very good manipulators. And these four guys need to not work in the chow hall anymore, period. And I had the opportunity to write tickets and fire all four of them for over-portioning on our chicken day, when they get the actual chicken with the chicken leg and thigh. And each one of these guys had four pieces of chicken, I mean just heaping plates sitting in the corner after everything's all said and done, and they're just eating whatever they feel like eating, and I brought it up to one of the Aramark employees—I thought, problem solved, the guys that are running the kitchen, I'm going to fire all four of them today, let them be mad at me. And I went to go talk to the one Aramark employee, and she's like, "no, they work real hard back here and it's not my turn to count chicken today." That was her exact... she said, "it's not my turn to count chicken today, so I don't care what they have on their tray." So at that point in time, it's wrong for us to go over there and write a ticket on these guys, when they were given permission to have a ball, eat what you want! For me to write that ticket, that kind of... it de-credits me. Because it's kind of an*

*unwritten rule, if they have permission from somebody we pretty much don't write them tickets because it's wrong.*

*J3-10: You're undermining your fellow employee, that's what you're doing, and you can't do that in a correctional facility, you can't, you can't undermine your partner, or any employee, because that takes their power from them. You know what I mean? And that's the situation that you're constantly being put in.*

- ❖ *P3-35: And there's something about begging to keep the prisoners in there when you're trying to discipline them. They're like, 'Oh, no. That's my best lead cook.'*

*D3-35: Yeah.*

*P3-35: 'Don't let him go.' He's also the biggest thief in the kitchen, hello. He's stealing everything.*

- ❖ *N5-35: ...since Aramark's gotten there, I'll shake them down, you know, they've got pizza in their pocket, they've got 5 oranges, and I'll be like, 'What are you doing with this? You know you can't have this.' They'll say, 'Oh, Ms. O gave it to me.' 'Ms.,' whoever, 'gave it to me. She said I could take it since I didn't get my lunch.' I'm like really? And I'll ask them, 'Hey, did you give him this?' 'Yeah, yeah. He's fine, he's fine.' We stopped asking because I stop a guy, he's got whatever he's got in his pockets, every time you ask the Aramark people, 'Yeah, he can have that.' 'Yeah, he can have it.' We can't write a ticket on that if they're telling them they can have it, it's their food.*

*RZ5-35: Right, right. So it's hard for you to impose those rules when you have the Aramark, or her, saying something completely opposite.*

*N5-35: Yes.*

*RZ5-35: And Aramark workers allowing them to take it, but it makes it difficult for you guys then to just go back to the usual protocol and rules of the system....*

*Someone: Undermining your authority.*

- ❖ *J3-9: They're [inmates] getting permission from Aramark constantly because they're playing them [Aramark employees]. They're constantly playing them, and they're getting whatever they want. And you can't technically discipline an inmate—you can't write them a DDO, you can't write them a theft ticket if he has permission to have that from Aramark.*
- ❖ *G4-41: One other issue that I can see that's really bad between the state food stewards and Aramark is discipline in the inmates. The Aramark people absolutely have no idea about writing tickets or how you're supposed to and they come to us all the time and you don't always have the time to help them write a ticket or try to explaining to them the options that they got and they get no training at all and basic disciplinary stuff for discipline because what you're supposed to discipline as you're doing stuff in the prison and they have absolutely no idea.*

*RZ4-41: And the former state workers do all that?*

*G4-41: Yeah they got training on that.*

Attempts by COs to give advice to contractor workers were often rebuffed.

❖ *GG1-34 Well they were stacking trays. They had 5 trays that were on this ledge not covered, and inmates just walking by and they can take another piece of cake, they can take you know, and I try to tell them serve one tray at a time. One tray at a time, well they won't listen. They didn't want to do that. The inmates told them, 'Oh, it'll take too long, and you know we're not doing to do it.' Well, finally I talked to someone and put up a memo, now they're doing one tray at a time, but it took me like to get stressed out and frustrated and...to the point where you know, I just wanted to fire all of the workers, and you know and tell them, but they just won't listen. So, they're defiant in that way where they want to do it their way, and they don't want to listen to us, and like I said, we've been around it. I've been around food service for 20 something years, so I know how it could run and how it could run better, but they just don't listen. The one guy who threatened our staff, the one worker, me and an officer, I said something, and he was like, 'Well, what do you know? You're just a CO.'*

❖ *P3-76: You know, you're trying to help them and they think you're trying to bash them or do something mean to them, but you're actually trying to guide them.....*

*J3-76: You're trying to explain there's a process. You can't just call a guy over here because, 'Well, he's hired. He's on my schedule.' I understand that. He might be hired all day long in here, but he's not allowed to get here.*

*P3-76: But it's not just that, it's anything you try to do for them, you know, like you.....I sent one a ticket, and he's like, 'You didn't send me this ticket,' and then like, 'I need him. I need him in here today.' Guess what, he's replaceable. I got 1300 other prisoners that can replace him, and we don't need him. If I wrote the ticket, he's \_\_\_\_\_, you know, and they don't get that concept of discipline where he's being disciplined.*

*J3-76: They look at prisoners more like friends....*

*P3-76: ....but they still want him in the kitchen.....so that puts the officer and Aramark like, 'Listen, when I'm disciplining a prisoner, you step away. I'm disciplining them, he's going to his unit and he's done in the kitchen until I say so, until he gets over this ticket.'*

❖ *J1-35: Aramark at \_\_\_\_\_, in mine, it's not uncommon for breakfast lines to be running an Aramark holler at a guy, 'Hey, you want to work overtime?' And the inmate will go, 'Yeah,' and then they'll be like, 'Ok, go ahead and change out after you eat.' And then when I see that inmate there, without an overtime pass, I send them back to unit, and Aramark will be like, 'Hey, why did you send my worker back?' I'm like, 'No, he's not your worker he's mine.' I use the lawnmower analogy. I own the mower, you just borrow it for 8 hours. He don't come to work until I say he's clear. And they know over and over, and I reminded them weekly. You want somebody you call control center. Control center clears them, calls the unit says, 'Hey. Send Inmate \_\_\_\_\_ over to Chow Hall.' He comes over with a hand pass, we're all good. You don't just snatch people out of line.*

*RZ1-35: And it's because, what they want to be able to do is bring people in when they need them, but your concern is custody?*

J1-35: Yes.

- ❖ T2-52: *The truth of the matter is we help these people in so many ways because in helping them we're helping ourselves and we care about each other. But we get betrayed, and they use it as a scapegoat that we're just trying to sabotage them, and that's not the case at all. If we were trying to sabotage them, we could have sent in 500 things through the violation, you know for cleanliness.*

### 3.4 Disputes over Meal Counts

Aramark was reimbursed on a per meal basis that varied by volume. The MDOC monitored meal counts through an electronic card swipe system, called OMNI. With CO oversight, inmates would line up and swipe their meal card to register for breakfast, lunch or dinner before entering the chow hall. OMNI was problematic.

- ❖ MK-33: *Before, there was a real high tech system [OMNI], the chow hall seated so many. You filled up so many times and you had your discounted seats.*

S2\_33: \_\_\_\_\_ 50 seats on that side, you filled up 4 times here, that's 200. You filled up 4 times here, that's 200. That's 400 meals they served.

N2-33: *But there was no conflict of interest with one agency trying to pump up numbers and skim portions all at the same time.*

- ❖ D5-74: *I believe why they switched over to OMNI was accessibility. So they'd have somebody sit in Lansing, see how many they fed in \_\_\_\_\_, \_\_\_\_\_, wherever in the UP. I believe that's why the change was made. The problems we normally have with OMNI is that if we're bold, it will continue to read a card for 30-60 seconds, and then the lines would basically stop at that point until the computer's able to take the next card....*

RZ5-74: *So it's slower?*

D5-74: *It's slower.....what other problems do we have? It seems to time out, like after an hour. It will give us an error message, 'Was not successful. Please try again,' and basically you have to log out and sign back in...*

- ❖ B2-31: *Yeah, we usually are short staffed. We're struggling to find a couple bodies, and sometimes we run chow lines when we shouldn't. We run them unsafely, we don't have the proper staff, but we got to get it running because you got this program going on, you got this program going on right after meals. So when we don't hold up these programs, we're just going to start with an unsafe number, well that's when we need to shut the computers off and have them 2 more staff available to watch these chow lines because from what I'm told they're not even using these numbers from this OMNI, that we have a supervisor that's taking a count, you have Aramark taking a count, now they have to get together after each meal and agree, 'This is how many....,' regardless of what that number says on the computer, so we're going through the motions for nothing.*

The OMNI system was put in place just before privatization. Respondents described how OMNI yielded meal counts that were lower than Aramark expected, and so Aramark resorted to tray

counts as a method of counting meals. COs remarked that tray counting produced meal estimates that were higher than OMNI, often resulting in meal counts that exceeded the prison population.

- ❖ *DNI-45: I say it's because we do 2 separate counts. We count each inmate that comes through [via OMNI].*

*RZ1-45: Right.*

*DNI-45: And Aramark counts the number of trays that they have.*

*J1-45: And they have an inmate counting the trays.*

*DNI-45: And they have an inmate counting the trays.*

*G1-45: And I can tell you, you would think that at such a small facility it would be... every day would match....it doesn't.*

*J1-46: It doesn't. I've had Aramark come up to me.....*

*G1-46: Does not.*

*J1-46: ....when we're finally closed for lunch with the number [of tray counts] higher than our actual population.*

*Several: Me too.*

*J1-46: At the end of the meal, \_\_\_ say, 'We fed 1175,' and our capacity is maybe 1310. They'll come up to me with their count of 1315, 1320, 1325, whatever it may be. I'm like how do you count more trays served than our actual population?*

- ❖ *D3-44: Because he's [Aramark staff] 25, 30 higher and I'm like, 'How can you be 25 or 30 higher than me scanning?' And I'm pretty accurate with the scans, if somebody goes through and it doesn't scan right, I mean, I keep track in the back of my head, even if a couple of 3 guys get lost in the mix, I know ok I'm 3 off because it didn't scan properly and there were 35, 40 guys in line. You don't jump over the fence and you already got to come back, you let him go and keep coming back where you're at, and it's just ridiculous to hear them say stuff like that, you know, 'Oh, we might just have to have you do this job more often,' because he's always off. A lot.*

*J3-44. Our OMNI system isn't perfect, but it's not....*

*D3-44: It's close. I mean it's pretty good.*

*J3-45: Yeah, it's [OMNI] fairly well [accurate]. I mean you're talking 20 trays maybe, we use it either way, but not 150, 200. \_\_\_ and I personally witnessed like, a blatant like, cooking the books [by Aramark], like just flat out.*

- ❖ *B5-72: At \_\_\_\_\_, their tray count is messed up because 3 out of 5 people do it their own way. They don't have a set system on what trays to count. Some count the dirty trays, some don't count the dirty trays, some count the snack bags that go to the insulin-dependent diabetics, as a meal. I tell them, 'You can't count that as a meal,' but the*

*owner, excuse me, our supervisor told us, our director told us, that snack bags are considered a meal, ok. I'm not counting it. We go by the computer, they go by a tray count. When the meal is hamburgers, 1280 inmates. So we come up with a number like 1235 plus 24 staff, that's 16 come and eat plus the 8 for 3<sup>rd</sup> shift. We come up with like 1260, 1258. They'll [Aramark] have a number like 1375. I'm like, 'How can you have 80 people over the count from where we had, we only have 1270 inmates, you got 1355.*

- ❖ *M5-74: I think that the MDOC numbers tend to be a little bit low, and the Aramark numbers tend to be ridiculously exaggerated is the problem.*

The contractor would invent ways to escalate the meal count. For example, improperly prepared trays for segregation would be returned and charged to the State. Any extra distribution of a food item was charged as a full meal to the State. Meal counts were inflated by attributing meals to COs that they never ate.

- ❖ *B2-77: On Pizza Day, [they might give an inmate] another slice of pizza, they'll charge that as another tray to the state. We've actually served more [meals to] inmates than we actually have at the institution.*

- ❖ *B2-76: They get paid 250 for 170 servings...*

*L2-76: This charged number....let's say I walk by and I grab an apple.....they'll charge you for a whole tray.*

- ❖ *B3-41: One more thing with that too is last time we had burgers, so officers' chow starts at 9 in the morning, so like I said, prisoners are saying, 'You want one or two patties,' you know, a lot of officers will take two, so they figure, they made, by the time 10:00 or whatever, 10:30 came around, they went through 60 something patties, and I had 13 staff that came over and ate, and they were livid and they were blaming it on staff. And I'm like, 'Hey, listen. I'm going to tell you right now I've had not even 15 officers come over here and eat.' I said, 'Yeah, I'm not going to say none of them took two patties, but they didn't take three.' I said, '15 officers with two patties, that's only 30. You people are letting your prisoners, they're stealing from you.' And we were charged for I think 30 or 40 lunches that day out of the 60.*
- ❖ *W3-51: Well, like I was saying, when they had screwed up didn't have any meat for the seg unit one day, they had to send down another 4 trays. So now we're getting double-charged for the same meals that technically should have been right the first time.*

Aramark accused COs of not reporting meals, and so meal count discrepancies were attributed to the COs. COs observed the deliberate inflation of meal numbers by Aramark.

- ❖ *B3-15: Yeah, it was in their paperwork when they first started. An officer's eating, and this is where it comes in I know for a fact because I caught them on it, is an Aramark director, what do you call, cooking the books I guess. He says, 'I don't care what these officers get. You keep track of what they get. If it's an apple, you charge them for a meal. If it's 2 pieces of chicken, you charge them for 2 meals.' He's also got a prisoner that's been there working for, since '07, this prisoner's been at my place, now he's gone, 'Hey, you want 2 pieces of chicken today? You want....,' you know, 'You want this? Hey Serg, I got apples over here. Would you like an apple?' And he's over there making little hash marks down on his thing, and so now the state of Michigan has to, they pay I think \$3 for*

*my meal. Now if I get 2 pieces of chicken, they have to pay, triple, yeah double or triple the amount of that. So if I get 2 meals, one extra chicken, that's one meal, so they have to charge for my second.....they're going to charge 9 bucks,*

- ❖ *J3-41: And then the officers come in, and they're allowed, the inmate workers are allowed to eat whatever they want. 3, 4, 5, 6 rations, so they're hundred rations are gone, and they're charged as officer dining, for a while they were cooking the books that way...*
  - ❖ *GG1-49: Well, I got into an argument....a big argument...I mean I had to excuse myself from the area for like 20 minutes to calm down. This guy, this Aramark worker, he....they always want to accuse the staff of taking trays, and I said, 'How do you know this? You're just assuming this. Do you walk those trays down to those units, and see officers eating those trays? You can't tell me that you do that because you don't do it. You don't see an officer eating...' because there's certain trays that go out to the units, and there's certain trays that are fed on line. You might see an officer eating a tray that's on the line that comes from the line, but you don't never see an officer eating trays that are in the boxes that go down to the inmates that have to eat in the unit.*
- GG1-50: But they accuse us. That's their only way to justify that they're wrong. 'It must be the officers that are doing this.' So I take offense to that, and I take big time offense in that, them saying that we do it, that it's on us, that we're the ones that are sabotaging them.*
- ❖ *L2-32: We have on camera the other day, they left at our place at \_\_\_\_ on second shift. 11 officers ate between the dorm and around the units ate a tray. Aramark's count that day was 38 employees.*
  - ❖ *W3-16: I've also noticed at our facility, for night shift, I don't know how you guys' facilities work, they put 20 meals in that cooler, and I know for a fact not even close to that many on night shift actually eat that meal, but yet we're getting charged for it.*

Discrepancies between OMNI and tray counts happened frequently, imposing an added burden on MDOC supervisors. Dealing with meal count disputes was time consuming.

- ❖ *T1-44: Well, that's how Aramark gets paid too. That's what their main concern is with us is with that tray count correct?*

*Someone: Yep.*

*T1-44: How many did we feed? If this matched, you know if you had a laying tray where a guy can't you know come to the Chow Hall for whatever reason you have, the tray is delivered, you're supposed to you know add the trays delivered, trays served, and it's all supposed to you know, match with the amount of bodies that were on there. If you got you know, we had supposedly served you know, 50, let's just say 50 guys, but really 75 guys showed up, but only on the computer swiped, only showing 50 I don't know, they're not going to get paid for those 25. So they are really, that's all they're concerned about is the accurate tray count.*

*GG1-44: It's put a lot of more work on the sergeant...one of the sergeants who have to come down, they have to go over this what they've got on their piece of paper, and then*

*they got to get it off the OMNI system, how many people actually came down, and it takes some you know, 1/2 hour stole out of their day just to match the count, and that was never before. I mean we never done that. It's always you know, the kitchen.....*

- ❖ *BN2-99: I mean when I watched a couple of administrators, a supervisor, all....and then you got Aramark.....all gathered in an office because they're trying to figure out this tray count thing, and when you see them there for 2 hours to figure that out.....what if the state's just paying for 2 hours to try to figure out....*

*L2-99: We have weekly meetings....*

*BN2-99: .....why they couldn't account for 3 trays.*

*L2-99: Ours has weekly meetings with the deputy....2 deputies and a warden....and then 3 Aramark supervisors have a weekly Monday morning meeting, every week.*

- ❖ *L2-101: Shift commanders got to do paperwork after every meal, with these numbers, these counts....they got to call it out for them, 'What did you guys feed?' 'Any issues?' '2 Block? 5 Block? 8 Block? 1 Block? The Chow Hall?*

*MK2-101: Then they.....*

*L2-101: They put all that back together. They got to put it all together. They got to bring the form in, you got to get all the numbers from the Aramark signed, then you got to compare them, then you got to send it to the deputy, then you got to send it to the warden.....that's all this un-needed, added, paperwork, time consuming, everything else, it takes place after every fricking meal.*

## **Theme 4: Risks to Personnel and Inmates**

Overall, the officers believed that risk throughout the system increased with privatized food. Risk was higher for officers, inmates and contractor employees.

### **4.1 Loss of Security Back-up Support**

One direct form of risk to COs was the loss of back up support in the kitchen and chow hall areas in the event of an inmate disturbance. Aramark personnel did not perform the security duties as stipulated in the original service agreement (see Appendix A).

- ❖ *RZ3-78: Do you feel like you're more at risk now because of this contract?*

*Several: Yes....*

*P3-78: 100%.*

*B3-78: And not just us, I mean yeah as a whole.....because before all officers were.....*

*P3-78: If it's going to come between me and an Aramark employee telling who what's going on and a prisoner's going to be on the Aramark's side, and I'm the one who's going to take the ass whipping.*

*B3-78: Because we had state employees, they were almost as security-minded as we were.*

- ❖ *RZ1-56: Before Aramark did you have occasions where the food service supervisor would back up Corrections Officers during an incident?*

*GG1-56: What do you mean back up?*

*Several: Oh, yeah.*

*G1-56: Regular state staff? Oh, yeah they have.*

*GG1-56: Like if we're wrestling with somebody?*

*RZ1-56: Yeah.*

*Someone: Oh, yeah.*

*Someone: They'd dive right in.*

*Someone: Yep.*

*RZ1-56: They would? OK, and does that still happen with the Aramark employees?*

*Several: No.*

- ❖ *BN2-13: I mean you had 8-10 food stewards [state workers] that, at my place, they averaged 10 years. They had 10 years, and it was like it was a group that we worked*

*right alongside them. It was like you know, I assisted them they assisted me. I knew if I had an issue I had them responding. We had stewards that were on the ERT team.*

*RZ2-13: What's the ERT?*

*Several: Emergency Response Team.*

Several officers foresaw (or were worried about) major conflict. Not a single CO could describe a case where a contractor employee assisted with an inmate conflict. Contract employees refused to conduct security procedures even though it was stipulated in the service contract. The MDOC administration was aware of this continuing contract violation, but acquiesced.

- ❖ *P3-80: Well, if there's only one of me in the kitchen, and the rest are Aramark and I see how disrespectful the prisoners are to the Aramark employees.....you know, they're not disrespectful to me like that because I'll tase their asses, but one day it's going to come down to an argument and they're going to be on Aramark's side.....I'm going to get my ass whipped. I already know it's coming one day.*

*J3-80: Yes, I can see a major confrontation....*

*D3-80: Coming...*

*J3-80: ....coming someday, and I'm just waiting for the day that's going to happen where I'm going to be rolling around on the ground.....*

*W3-80: And the question's going to be what side are the red shirts [Aramark employees] going to be?*

*RZ3-80: Would the former [State] employees back you guys up if something happened?*

*Several: Oh yeah.*

- ❖ *J1-75: When it jumps off at \_\_\_\_, you know, black and grey rule, we'll respond. That's great. I have absolutely zero faith and I have yet to see any red shirts [Aramark employees] jump in.*
- ❖ *L2-34: We've had someone go off because, hurt their knee and what not, helping to respond to a fight and breaking up fights all of this stuff because if you didn't, everybody that's a state employee, whether you're A-RUS or ROM or whoever, whatever your title is around the institution to help put out, if you don't respond to help to that, you could be fired.*

*Someone: Yeah because.....*

*L2-34: It's not the case now with these Aramark employees. They just sit back and most of the time somebody gets cut in the area....oh, they freak out and they run in the back room and go start bawling. "Oh my gosh, what did I get into?"*

- ❖ *J1-57: I haven't actually read the Aramark contract, but somebody mentioned to me that it was in the contract that Aramark is authorized to shake these guys down as needed. Like when it was under state control, if they thought somebody was under suspicion,*

*they'd just call them over and give them a pat down, you know, make sure they're not carrying anything.*

*RZ1-57: Right.*

*J1-57: I've have Aramark coming up to me multiple times during the day. 'Hey, shake that guy down.' 'Why do I got to shake him down? Fuck you, you shake him down.'*

- ❖ *H5-57: The last food service guy [State MDOT] I worked for, \_\_\_\_\_, he had your back 100%. If an inmate, one of his workers was getting in your face as the officer, he'd be right behind you, you know, and if you couldn't diffuse that inmate and get him to calm down, \_\_\_\_\_ could, you know, because he worked with them day in and day out. Aramark, if there's any screaming or anything, something's happening, they're going the other way, ok, they're not there. They're supposed to be there, I mean we're there for them, but they don't back us up in anything.*

*N5-58: Every state employee, officers, nurses, anybody that works for the state inside, even like our psychologist, they take the PA415, and if there's a fight and they're around, they're supposed to help, even if it's just getting on the phone and calling somebody, they're supposed to help. They can put handcuffs on them, they can you know, whether they feel comfortable jumping into a fight or not is different, but they're trained basically to do these things and they can help.*

*M5-58: I was, I asked this inspector guy, I said, 'Should I be encouraging, if I'm getting beat up, should I encourage these Aramark workers to help....get him off of me or anything?' He said, 'No, do not. If they do, that's all on their own, tell them that's not.....you can get in trouble.....' So they're not responding to any event like that.*

*T5-58: Actually if you read the Aramark contract, I believe it's page 25 or 27, it says that Aramark is responsible to respond to all facility emergencies. A facility emergency would be a staff assault, a medical emergency. I've brought this up, I've fought with my supervisors at work about this, I've taken it all the way up to the Deputy Warden, and they keep telling me, 'No, no, no. We don't want them involved in any of that stuff. Don't worry about it.' But according to their contract, they are required to respond to any facility emergencies.*

- ❖ *S4-31: Well I know at our place the Aramark people are not counted on or expected to provide any help during the service. Okay. They're classified as non-custody and we have a lot of non-custody staff, state employees that work in the prison. And they have been trained to a lesser degree than the officers have but as far as what to do during a disturbance, not actually jumping in and you know in a pile up or whatever. But as far as they can do crowd control, make sure that the other inmates are staying away. Um they could get on their radio and call for help. But...*

*RZ4-31: Do they do that now?*

*S4-31: No the Aramark people are not required to do that. So you would get, probably no help at all from them. Maybe not from all of them, there's a couple Aramark people that are placed that I think would try to do something. But for the most part they are not required to help out.*

*RZ4-31: And what would the former state worker do?*

*S4-31: For instance if there was a fight in the kitchen between a couple inmates. I could see them and I have seen them in the past keeping the other inmates from jumping in you know. You know go back down the hallway or go out to the dining room, giving orders. Uh watching our backs as we're in dealing with the problem, you know stuff like that.*

*G4-31: Our food stewards actually when they were state employees they did part of prisoner management with us. You know they'd come up when we'd do certain scenarios with prisoner management and they'd go through them with us. So there were few incidents where officers were assaulted and food stewards and they were the first ones to come to the area.*

*RZ4-31: Do you trust them to help you out if something is wrong?*

*J4-32: I don't think they would help. They would probably just stand back and watch whatever happens.*

#### **4.2 Inmate Access to Weapons**

One factor affecting overall risk was increased availability of weapons. Tools from the kitchen need to be carefully inventoried and monitored. Other materials, such as can lids and chemicals can be used as weapons by inmates.

- ❖ *T5-54: A lot of times when I arrive at work at 2:00, I'll walk by the pots and pans room and there's a pile of tools that have been signed out from breakfast. They were signed out of the tool log at 4:30 in the morning, they're still out sitting on a shelf in the pots and pans room, when in theory, all of those tools, if a staff member came in from Aramark at 4:30 and they were leaving at noon, they should collect all of their tools and return them to the tool room and sign them in, and then if someone needs those tools out, then that Aramark staff should sign that tool out and before they leave for the day, they should be signing that tool back in. Now, all of the tools just seem to collect in a huge pile until one of the Aramark staff finally decides to collect them all, which is usually 2 or 3 trips worth, back to the tool room to sign them all in at the end of the night.*

*RZ5-54: And how does something like that affect the risk for you or for other inmates or.....*

*T5-55: At any time, one of those metal spatulas or scoopers or, you know, things along those lines can be fashioned into a weapon in a short amount of time, and could end up definitely being used to hurt somebody.*

- ❖ *D3-8: The first day I worked on food service I walked into the back and there was a table with all of 20-25 cans with the lids and bottoms cut off of these cans laying on a table, and nobody watching them. I was like, I thought I was in trouble. Where I came from, if an officer walked away from cans like that, and lids, you were in trouble, you were going to get written up for that. I couldn't believe it. I'm like, oh shit. You know, I thought I was in trouble, and I went to talk to a couple of employees, the Aramark employees, and they're like "no, there's a camera right there watching everything so we don't worry about it." I was like, [gasp], and then of course I went and talked to some senior staff members, and they're like, "they're [Aramark] allowing it to happen"*

- ❖ *J3-64: I've come across....unsecured knives....you know.....real butcher knives....like Norma Bates movie butcher knives.....they have a cable that are secured to them. They're supposed to be padlocked to a table....unsecured....inmate....., 'Hey, do you want this? Could you put it away for me?' You know, I've come across unlocked padlocks, you know, brass 1 lb. padlock, you could put it on the end of a belt and kill somebody with it in one swing. I've come across just amazing.....*
- ❖ *H5-70: When I worked with \_\_\_\_\_, the state food service guy, our oven racks, we had them set a certain way in the ovens, so we knew that this whole oven, the second bar was missing on every single rack, so we could open up that oven, and just literally go down the racks and we knew the second bar on every rack was missing. Now you open up the ovens and you physically got to look at every piece, every bar, you almost got to grab them and pull them because Aramark, and I've told Aramark, 'Hey, this rod's missing off this rack. Do you know where it is?' 'What are you talking about?' It's your rack, you should know what I'm talking about. The can lids, state workers knew they gave out 30 cans of peaches, they expected 30 cans, and if they opened top and bottom, 60 lids or 30 lids back, they accounted for them. Aramark, you find can lids in the back dock, I find them back there all of the time, on the back dock, they're in the office where prisoners, you know, go up there and talk to them. They're scattered throughout. There's no accountability for none of this other stuff that they're supposed to be watching for.*
- ❖ *D4-4: ...security, I come in at night and same thing. The walls are... I have photos and documentation that I have turned in and sent to the supervisors and uh it's a real mess. I come in one time and there was a whole palate of caustic.*

*RZ: What's a caustic?*

*D4-4: Cleaning solution, anything that's hazardous. Clean chemicals that are supposed to be locked in an area and it was on the back dock behind one closed door but the prisoners go back there to change when they leave. You know so they have access to it. I come in to do my first round and there would be the chemicals lying around in the bathroom back by the kettles where they cook and uh in cups, in pails left out. That's supposed to be signed out and overseen when they're using them. And you know obviously that is not being overseen.*

*RZ4-4: So you're concerned that those chemicals could get stolen?*

*D4-4: Not only stolen but could be thrown in the food. They could be tossed in the officer's eyes while he's doing a round.*

### **4.3 Unjust Treatment of Inmates**

Fair treatment of inmates within the prison is critical to maintain perceptions of justice. The lack of training among contractor employees resulted in the abuse of inmates, more punishment, and an increase in solitary confinement.

- ❖ *S2-18: ... there was an Aramark employee, his name was \_\_\_\_\_, I think his first name was \_\_\_\_\_. He was on the job for about 3 weeks. He was kind of like a gung-ho guy to me, clear that he was military police, but this guy was only 22 years old, whatever the story is. So under this guy you know, he was kind of harsh the way he talked to the prisoners*

like, 'I'm military police. I'm your supervisor. I told you to do this...' There's a certain way you need to talk to them, but the point is we were running breakfast lines, I was kitchen officer that day and it was like 6:45 in the morning, he comes off the line, came to me and said, 'That guy over there just clipped me.' I said, 'Clipped you? What do you mean by clipped you?' And he says, 'Yeah, he clipped me. He put his shoulder into me.' And because he didn't tell me the story that the other female Aramark employee, there was 2 Aramarks on the line, observed this inmate getting out too much bread, so she moved him from passing out bread down to the end of the line passing out silverware. So he's telling me this I said, 'Well it's understandable. The inmate might be a little mad, ok.' So he says, 'As he was walking by, I was standing there and he threw his shoulder into me.' I said, 'Ok.' I called the other sergeant over, ended up taking him to the hole for assaulting a staff. So, when all this was done the sergeant told me to help him write the ticket. I said, 'Ok, well he doesn't, he's never had the training. We don't go through this training for writing the tickets.' So I said to him and I asked him, I said, 'Ok you say he clipped you...ok, did he hit you on the left shoulder into your left shoulder or the right shoulder into your right shoulder? Were you standing still?' He says, 'I was standing still. He was upset because he was being moved from bread to silverware, and he threw his left shoulder into me.' I said, 'Was it intentional?' He said, 'Yes.' I said, 'Ok. That's what you need to put on the ticket. The part that you were standing still, he hit you left shoulder into left shoulder....' I said, 'Did he hit you hard?' He said, 'Yeah hard enough to where I had to step back and maintain my balance.' I said, 'That's what you need to put into the ticket, and "prior from being moved from bread to silverware" doesn't need to be put on the ticket.' He erased the ticket. It just so happens there was a camera there so they ended up reviewing, this was on a Tuesday, they reviewed the footage. For the next couple days, I hear that an Aramark supervisor and this guy \_\_\_\_ was called over to the inspector's office. I'm like what's going on? On Friday I come to work, the inspector calls me into the office. I said, 'Hey, what's up?' He says, 'Have a seat.' I say, 'What's going on?' He says, 'Oh, we're waiting for \_\_\_\_...' which is our facility Union President. I said, '\_\_\_\_? For what?' Inspector says, 'Well \_\_\_\_, there's potential disciplinary action for you.' I said, 'For what?' He said, 'He said you helped him, he said you coaxed him writing the ticket.' I said, 'Ok, get \_\_\_\_ here.' So my Union guy got there and we started talking about it. I said, 'I never told him what to write.' I said, 'I asked him how this had happened.' The inspector pulled up the video, and it was clear that the inmate was coming this way here, this guy stepped to the side to let him go by.

RZ2-19: So there was no bump?

S2-19: There was no assault at all. They ended up letting this guy out of the hole.....

S2-19: That's exactly it that they're not getting the training, you know, that we get so they are unaware of what happens and what proper procedures to use or to take. And if you got a, this is a problem that I have, if I..... we're supposed to do 5 shakedowns on prisoners every day, ok. If I don't do my shakedowns and I just take this guy's name and write his name and number down, that's falsifying documentation. You're fired. This guy just put a prisoner in the hole for something that never happened. It's on camera, it's very clear that he stepped back and moved his shoulder for this person to go on through. His shoulder grazed the front of his shirt, but that was non-intentional assault, and then when you got chow lines with 5 prisoners here serving and 5 prisoners here serving it is tight. Ok, so it's fully not an assault and it is a tight area, you are going to brush against somebody.

RZ2-19: So what happened with the Aramark employee?

S2-19: Nothing. Nothing.

- ❖ J2-26: *We've got an employee we just hired. She's 20 years old. She's 5'3" about 95 lbs, long, blonde hair. And last week I look over, she's standing on a milk crate on the line, ok, and she has no clue where she's at because she's looking down, and I'm sorry I've seen this a couple times, she was white, and she just talks down like dogs to the guys that are Mexican, Black guys, she's screaming at this guy like, 'You're going to fucking do it because I said so,' and I'm like this girl is going to get her fucking mickey blown out. She's going to get knocked the fuck...and you just see it, and guys will come to me, prisoners will come to me, they'll go, 'Man, she came back here and she was just like, "Why do you guys talk so ghetto?"' 'But what are you talking about?' 'You know why do you guys talk so black?' We're like.....she can't, she has no clue where she's at.....she's just.....an \_\_\_\_\_. But that guy stopped and we had to cuff him and take him down because he's going, 'She can't talk to me like that.' And she's standing on a milk crate looking down at him screaming, 'You're going to fucking do this!'*
- ❖ L2-36: *...we had an Aramark supervisor that would come in and kick another one of their [inmate] employees...that Aramark supervisor that did it, the state did an investigation, but if that would have been any of us, we would have been excessive use of force, time off, what not. This individual should have had time off, but there was nothing not even disciplinary help because they had to go to Lansing and say, 'Hey, what jurisdiction did we have over this?' This individual is still working with Aramark yet today.*

#### **4.4 Inmate to Inmate Conflict**

Justice entails protecting inmates from predatory behavior of other inmates. When food quantity and quality declined, powerful inmates robbed food from other inmates. Inmates within the kitchen are coerced by others into committing infractions.

- ❖ A1-23 *They get pressed and squeezed, which means that they don't get what they should be getting. Somebody else will take their stuff, like the kid that takes the lunch money in school, well they get bullied into 'Oh, I'm going to take your tray. I'm going to eat your tray.' I mean we see that in our facility, I just caught somebody 2 days ago, 3 days ago you know, 'Give me your cake,' you know.*

J1-24: *Just, you got some of the older guys that are you know, only maybe have 2 or 3 years left on their sentence. They just want a, want something to get them out of the unit to just keep them busy for the day because these units, they're getting overrun with these teenagers and early 20's. You know these kids, these new kids are acting like fools, so a lot of the old heads come in, they just want to do their job and be left alone. Now I'm getting some of the new kids that are working food service that want to come in and disrupt the way the Chow Hall is run, you know. They want to, they always trying to just steal basically you know. It's as if, as if another guy, I'm going to say, they're trying to press the older guys into giving them....'Give me that tub of peanut butter so I can get it out.' And the older guys just want to be left alone and do their job, but yet they don't want to come down to either beat the kid's ass or get their ass beat for a tub of peanut butter.*

- ❖ *B2-83: So you got to tell someone, you know....John's mom.....say, 'Your son got stabbed yesterday because he wouldn't take anymore hamburger out of here because he's not you know, a part of the loop anymore. So if these people's kids are getting more danger inside the institution because security isn't an issue anymore.*

*RZ2-83: Right.*

*B2-83: Profit is.*

- ❖ *T2-39: We had a guy recently, I dealt with, he's telling an Aramark staff, 'Oh, these guys are after me because I won't bow down to them,' and it could have been true. He said they wanted to fight him in the back room. So he's telling her this, I'm sitting there listening to it, and I'm like, 'Geez, is this guy playing me or is he for real,' but I have to report it. So I report it, they put him up front, they talk to him, next thing you know he's back in the Chow Hall working. Now he's saying, 'Well, you know, maybe I was a little overzealous.' No. He was telling the truth, but now quite possibly sometime in the next 2 weeks this guy is going to be in the hole with a gash in his head or a slice on his face. So you're talking medical concerns and cost of the department, you're talking segregation time, which is increased cost of the department, loss of programming, which means this guy is going to be retained longer and can't get his parole.*
- ❖ *RZ3-53: ... have you seen physical altercations increase since Aramark, or no? Have you seen any changes in that.....*

*D3-53: I would say like at our prison, we have a whole lot of blind spots, cameras, lack of cameras, this, that.....we tend to see a lot of guys walking around with black eyes that fell down, and I think there's a lot of altercations happening that aren't being caught, you know, they're taken care of it on their own, and unless the guy's beat half to death and bleeding all over his face, you know, we're not catching it.*

- ❖ *D4-40: ... I had one guy go tell me and he says they always get back with me and they get a bad meal and they know I'm one of the cooks and they go why are you serving this junk to us.*

*RZ4-41: Oh I see, they get heat outside from the prisoners?*

*D4-40: Yeah back to them from the guys in the unit. They start riding them man why are you serving that, why are you letting them serve that crap.*

*RZ4-40: Yeah, I see.*

*J4-40: Yeah same thing at the level 1 setting we have, those kitchen workers go back and they're you know other prisoners are getting on them because the food sucked or whatever. Or portions were too small. There's been times where the Aramark people come out and have a list that says what size label to use to serve let's say the cabbage casserole and they bring out the wrong size label and halfway between the lines they switch it to the proper size. Well then all the prisoners see it and are like why are we getting small portions and then they yell at the other kitchen workers and are like it's their fault not ours!*

- ❖ *J3-62: We've had fights in the kitchen between kitchen workers, in front of Aramark employees. They didn't say a word about it.*
- ❖ *A5-50: Yeah, gang activity is greatly increased, and then you put alcohol into the mix, screw around with their food and stuff, it just adds to the violent behavior.*

Disputes over women are one source of inmate to inmate conflict. Aramark staffed the positions with more women than men, and inmates contested over their attention.

- ❖ *L2-30: Ok. There's more of those things getting filled up. We even had at one point in time, 2 inmates fought over a female that was screwing with another inmate, 'Ah, she's mine,' 'She's mine,' and believe it or not, it happened right in the Chow Hall during chow lines.*
- ❖ *J4-30: Yes a couple weeks ago we had one Aramark, she was sitting with one prisoner and she was also letting them work. They were able to work overtime, he was able to work afternoon shift and she worked a day shift. He'd come in and get overtime and then they would sit a table together and sit there and talk. And I've had other inmates and tell me that \_\_\_\_\_, excuse me but, this guy's been threatening us if we talked to her, he threatened to kick our ass in the bathroom if we were in there. If he come in there he threated to kick our ass. I informed, yeah he was jealous for them, if they talked to her for something that was simple you know about the food prep. I informed our lieutenant and captain and the inspector and then the inspector he got some snitch kites from prisoners that worked in there about this one prisoner and that Aramark employee; he came down and asked me which one it was. I pointed him out and the next day he fired them out of the kitchen and put them on yard crew so but she's still working there and I'm always trying and watching to see who she's talking to next.*

*RZ4-30: explain how that causes problems potentially with a prisoner?*

*J4-30: well there's hostility between the inmates especially in the kitchen. What that one guy threatening the other workers, they were afraid to get beaten or assaulted in the kitchen.*

*RZ4-30: So when a supervisor shows favoritism to a prisoner then it causes conflict among the prisoners/inmates? Are you seeing that also?*

*S4-30: Yeah I've seen it. I've seen it. And it does create jealousy. This certain inmate is getting attention from a female Aramark person and you know. Anyone of these inmates would like attention from a female you know. They're locked up in prison for how long without any female you know. So yeah it's definitely. And we've lost some Aramark people because of that.*

#### **4.5 Inmate Risk due to Food, Sanitation, or Equipment**

Respondents discussed how the food quality and sanitation created risk for inmates. Inadequate training on equipment was responsible for inmate injuries.

- ❖ *B2-78: Well they proved that it [illness outbreak] was the food, you know, that it's a stomach virus but they had like 400 counts of people wanting to go to health care.*

❖ N5-42: ... yeah, sanitation and cleanliness is another really big thing with the inmates. If you're messing with, there's a lot of germaphobic inmates because you've got so many people in there. A lot of them, they put a sock, one of their own clean socks that they have designated to talk on the phone, to put it over the phone to talk because that's how worried they are about catching something in there. So if they find out that, you know, their dishes aren't even getting cleaned, you know, you're putting their food on dirty trays maybe, you know, we've got some of them....you know, we have to take their ID's and scan them. Well, a lot of the inmates don't want to touch their ID after we've touched it and everybody else's. So they'll have a piece of paper, that they'll hand you their ID in the paper and then take it back, just so that they don't have to touch their ID before they go eat. So germs and cleanliness is actually a big deal to them.

❖ W3-49: We've had to send meals back from segregation...they'll send chicken legs down with the bone still in it.....

D3-49: You can't do that....

W3-49: You know, you don't do that.....

D3-49: ....with a high-risk prisoner that was just smearing shit on the windows 2 hours earlier....

J3-49. You're talking, when you're in segregation, guys will cut their veins open with a straw, a Hi-C straw or whatever, if they get a hold of one....

RZ3-49: Wow.

J3-49: And it's been done, you know what I mean, so it's very a lot of these meals are extremely important, like there's people that they'll die if they eat fish. Die...medically die.

RZ3-50: Right.

J3-50: You know what I mean? Or peanut butter or whatever....

RZ3-50: They could have allergies?

J3-50: Or whatever, allergic reactions, and they're not.....these meals are not being watched by Aramark food supervisors, they're not, they're just.....I call around to the units and say, 'What do you need?' The officer working that unit gives me it, I put that together a list, I spend a half an hour doing that every day. I turn the list in to the Aramark employee supervisors, they hand it to the inmates, the inmates put it together. Off it goes. Immediately after it's out and the stuff gets passed out, I'm answering phone calls. 'Yep, you missed this.' 'You missed that.' 'You got to send over 6 more regs.'

RZ3-50: And the corrections officer does that work?

Several: Yes.

❖ G4-29: We had an instant where one of the Aramark food stewards that delivers the food down to the camp backing up actually hit an inmate and if it would have been the state

*food stewards in the bus that would've done it we would have been going for a piss test. We would have been... he just got told he couldn't drive the truck anymore until he had truck training.*

*RZ4-29: So a different standard then for Aramark? A different standard in terms of treatment when things go wrong?*

*G4-29: Yeah I mean the inmate didn't get hurt that bad. It was still, if it was any of us, we probably would have been gone or probably fired.*

- ❖ *G4-45: Okay well Aramark people aren't being trained on how to use the equipment in the kitchen but telling the inmates how to use them and we had a guy break his wrist trying to stick it into the bowl when he shouldn't have and a guy cut the end of his thumb off. Many other minor injuries that come from nobody being trained and they're trying to tell these guys how to use this stuff when they don't know how to use it themselves.*

#### **4.6 Risks for Contractor Employees**

Professionalism in the prison requires that personnel refrain from establishing friendships with inmates. Over-familiarity is a step in the anatomy of a setup. Respondents observed an absence of caution by contractor personnel when interacting with inmates. Inadequate training and experience was associated with risk to contractor personnel.

- ❖ *J1-31: State workers, when it was under state control, keep their personal business to themselves or maybe just among their coworkers. The Aramark workers I've seen, have got no problem telling these guys where they live. 'Oh, hey I just bought a new car.' 'Yeah, my kid's going into soccer.' You know, convicts don't need to know that information.*

*GG1-31: I mean you can get the job done without giving out your personal information. You can, you know, they can, they don't have to be that friendly. You can you know, you can have rapport with the workers, and you know if they do a good job, you know, 'Hey, that was a good lunch you know, guys.....it went good,' you know, but.....you can give them that kind of praise, but you don't have to be their friend. You don't have to. We're not there to be their friends, we're there to make sure you know, everybody goes home in 8 hours, you know?*

- ❖ *J3-61: Going on that security, like with names and addresses and stuff, they watched an Aramark, like they're so un-security conscious it's not even funny, watched an Aramark employee one day, they were, let's say two of them on duty. One of them needed some scrap paper or whatever and, 'Oh, I got to go up and get some scrap paper to write numbers down on,' and they allowed these inmates, they carry a clipboard around with all of their, you know, meal totals and where this guy's supposed to be working and where that guy's supposed to be working. A clipboard full of information and they allowed the inmates to just, we would never allow them to touch any of our stuff, not even my ink pen, and these guys will just let them. Just.....*

*P3-61: Anything.*

*J3-61: Well, \_\_\_\_\_ goes into the office, grabs some scrap paper you know, slapped it on his clipboard, laid it down there, and the inmates are \*flips through pages\* and the other*

*Aramark employee comes up to me just, I see her just screaming at this other Aramark employee, her partner, screaming at him, right out in the open during chow lines. The guy shook his head and walked away, apologized, whatever. She comes up to me and she's like, 'Listen, this guy's an idiot.' He turned around and went and got a scrap piece of paper, and what it was, was an Aramark phone number contact list of all of the Aramark employees flat there right there on the clipboard, and left it sitting on the desk, and the reason she found out about it.....she didn't even know it existed, she....*

*Someone: The prisoners told her.....*

*J3-61: Yeah, an inmate says, 'Hey, you know, by the way.....it wouldn't be a big deal if an inmate knew your phone number.' And she's like, 'What?' 'Well, you know it's not like I know that your phone number is.....,' blah, blah, blah, blah. He told her, her phone number, and she was like, 'Where did you get that information from?' He said, 'On the clipboard. Everybody knows it.' She went to the clipboard, and that's when she blew up. It's just.....*

*D3-61: Rightfully so.*

- ❖ *J3-64: I've come across Aramark employees locked in the cooler before.*

*P3-64: We had an Aramark female wearing a prisoner's coat because she was cold up all in the kitchen. The prisoner was just like, 'Oh, you want to borrow my coat?' She was like, 'Yeah, thank you.' He put the coat on for her and she was just walking around the kitchen in a prisoner's coat because she's cold.*

*RZ3-64: And explain why that's a risk.*

*J3-64: Well, first of all it's an overfamiliar area, big time risk....*

*RZ3-64: Ok.*

*D3-64: Huge...*

*W3-64: Plus if she happens to wander towards the fence, a guy [CO] notices, she might get shot.*

*P3-65: Prisoners are filthy, dirty, Hepatitis-C.....*

- ❖ *T2-24: The MDOC is so complicit in endangering the Aramark people, the line staff, it's incredible. [describes differences in training], 2 months at the academy, then a mentorship for 10 months; 2 months red tag, 8 months green tag, then under direct eye of status officer. Our level of training is so far superior than [Aramark's], and the most important thing about our training is the mentoring time. That is so important. It gives them [new employees] time to identify with us, to see what we do and why we do it, and I mean it's.....the MDOC is endangering these people. They're complicit.*
- ❖ *A5-55: We just had one inmate threaten an Aramark worker the other day, and the Aramark worker just didn't know what to do and didn't bother putting a pin or a PPD or anything, and it never escalated or anything else....actually I think an inmate ended up stepping in and getting the other one to calm down, but the damage had been done, but it*

*wasn't, you know, there again it just goes back to the training, and with the tools and stuff they have zero training on the tools. At our facility, one day the tools, the critical tool room key came up missing with an Aramark worker, and they went to put tools away and, 'Oh, he's got it. No, she's got. No, he's got it'. Well it turns out that it was left in the office and then somebody was eating their tray, they managed to drop the tool key onto the tray, and the tray got dumped into the garbage, and so we're out dumping out the garbage cans outside the back of the building, scurrying through the garbage, hoping the keys are there and not in the trash compactor already. In the meantime, maintenance, it was a weekend, maintenance is coming in to start changing the locks on everything because that ring of keys had keys to the office, keys to the critical tool room, keys to the storage room, keys to the commissary, to the cooler, and everything else that everything else that whatever inmate got a hold, the Warden's wide open to them in the food service. Fortunately an inmate didn't have them, and they threw them in the garbage.*

## Theme 5: Sources of Problems

Participants offered thoughts on the fundamental causes of these problems.

### 5.1 Divided Loyalty and the Profit Motive

Divided loyalty was described as a fundamental cause. Food service workers were under a separate administrative authority. Aramark's interest in maximizing profit under a pay-per-meal contract incentivized cuts in labor and material expenses; their employees were rewarded and punished based on this narrow measure of performance.

❖ *W3-37: Especially when they had a qualified workforce that was.....we worked together a lot, I noticed that when we had state employees. We were all in the same boat together, so we all had to either sink or swim together. Aramark's not so much.....can't even really say even close....*

*B3-37. A lot of it I think it is, is because they don't work for the state and they have to answer to Aramark. I tell them, I say they still have to answer to us, they still have to answer to our shift command if you have a complaint or whatever, they have to do something about it.*

❖ *MK2-12: When you had the food stewards in here, they were just worried about doing their job and getting things done, and taking care of business. Aramark's just worried about your bottom line and how much they can make.*

❖ *B2-33: The only thing we really have a problem with is like I said, a for-profit company coming in and the only thing they're worried about is that profit. They're not worried about safety and security. That's the number 1 reason that I've seen at our place alone, is they don't care about safety and security, and that's what the department, a big headline is, is you know, we're here to keep everybody safe and secure, but you're going to bring a private company in whose just there to make a buck.*

❖ *J3-47: Bonus checks and you know, which would.....which would be incentive for saving as much money as you can for your facility, for Aramark.....cutting corners, you know, every which way possible.*

❖ *S4-47: And that's part of the reason of the... or the main reason while they constantly run out of food because they don't want to make any extra. You know? They want to make it right down to the last scoop and the pans empty, perfect. Well it doesn't work that way. You don't know how many people are going to come to breakfast, so they cut it when you make out the bare minimum, you're going to run out because they don't want waste.*

*G4-47: On the defense of some of the Aramark employees that's all their bosses order. They want to make the extra pan and a half but they can't because they're barely having enough if they do what they do because they don't order it.*

❖ *M5-20: ... and I go back there and hang out with the actual supervisor and he was telling me about their job, and they get so much pressure from their corporate.....costs, costs, costs, costs.....coming in these emails. They showed me them. Just in last week we had the, the head supervisor, he just left, he just walked out with nothing, and I could see he was trying really hard, but man he.....it was just coming back to costs, costs, costs, 'Oh, ok.*

*Cut some more. Cut some more, ' you know and it's just.....I can guess what they're dealing with.*

- ❖ *L2-73: We had a supervisor that when Aramark had started to fight back and this guy got fired, and everybody in the institution knew it because he'd come through. He'd say, 'Hey.....,' he'd tell us, 'Hey they're doing this, and it shouldn't be.....,' blah, blah, blah, and he actually got fired because he was trying to do it the correct way.*

*RZ2-73: Ok, so the Department of Corrections is actually coming down on some of the unprotected administrative people who are raising complaints about Aramark?*

*L2-73: No, no. Aramark fired him.*

*RZ2-73: Oh, Aramark fired him.*

*T2-73: They cannibalize their own people.*

## **5.2 Insufficient Contractor Employee Pay**

A major cost item is employee pay. Pressure to cut costs placed constraints on Aramark in the ability to compensate FSLs commensurate with the responsibility, skill and risk associated with these positions. Officers did not have specific information on contractor employee pay, but there was universal agreement that the compensation was too low to attract and retain talent.

- ❖ *D1-59: But I think the big difference is you're paying somebody \$9, \$10/hour....*

*GG1-59: I was getting ready to say that...*

*D1-59: Versus paying them \$18-\$20/hour...*

*GG1-59: Right.*

*D1-59: There's a big difference in the quality of the employee.*

- ❖ *T2-38: They're not going to do that job for \$12/hour...*
- ❖ *D3-6: ...going back to the training thing and the \$10 an hour job. ...they can go to a gas station and get a job making the same money. There's no real pride.*
- ❖ *L2-15: But I think the biggest problem, and this is my opinion, is these people are making \$12-\$14/hour, ok. They don't care.*
- ❖ *S4-37: Yeah and to be honest with you when you're hiring people for \$11/12 an hour, you're not getting the cream of the crop. You're getting a bunch of people that work at a gas station and they don't amount. I'm not downgrading the people but you're not getting top-notch workers and then so we deal with that. And then the problem of not being trained properly and understanding the prison setting in general, you know it's an issue that I see will continue being an issue just because of the high turnover rate. You're constantly getting new employees coming in and not being trained and like I said before they start to grasp it a little bit and then they're gone and we start over again.*

*D4-37: I don't know how they're actually hiring the people but as far as cooking food for prisoners, I don't think you're going to get a lot of top-notch people coming in and apply for that job without decent benefits and stuff. And there are a lot of people that are unemployed and people are trying to make a go of it and you know I respect all that but for what their pay is and what they're actually...they're right there with us. And without skilled training to handle the guys, these guys [inmates] are good and they'll smooth somebody over in 5 minutes, they're smooth talkers. You know they'll make somebody think and talk a female officer in 5 minutes and turn her around and she could be in the best marriage or whatever and they'll work her and she'll think she can't live without them. And they have all day long to think about this stuff and they do. And some guys are really good at it.*

- ❖ *M5-46: I think it's the pay, I mean, a lot of them are trying to work two jobs, a lot of them, 'Oh, how did I get into corrections,' you know, it's just not a career path field....and then you're in a tough environment, you're not working at McDonald's, you're working with these felons that will manipulate and, you know, you're making them bucks now and thinking how are you going to support your family if you have one, you know. It's just not a career, it's a career job that has very vital importance, and they're not paying them, compensating them right. There's the turnover, and fired, and drugs, and it's a lot...*

### **5.3 Contractor Employee Turnover**

Low compensation and pressure from top management to cut costs has facilitated FSL turnover. Turnover was often voluntary, with contractor hires leaving due to the low pay and challenging conditions. Turnover was also induced by harsh treatment by Aramark top management.

- ❖ *A5-20: We had what, 200% turnover....at least. We had gone to the red shirts, we call them red shirts, the Aramark people.....they are replacing them at that office left and right. No one has lasted.....*
- ❖ *T5-22: They just keep coming and going.*
- ❖ *BN2-38: There's been actually a few that have come in under Aramark that you thought, 'Man, this person might be pretty decent,' you know, 'They would be able to.....they're smart enough to know not to stay.' They don't stay.....*

*Someone: They don't.*

*BN2-38: .....and a lot of it is nothing to do with custody, it's nothing to do with the inmates. They look at this circus, and they're like, 'No. No I'm not dealing with this,' and they have left. There's been 2 or 3 of them that if it was back to the old system with state kitchen stewards, you would say, 'Yeah. They'd be a good fit for the state to hire. Bring them in to do our food service operations.' None of them are there.*

- ❖ *L2-70: These people only use it as a stepping stone or they can't get a job elsewhere, but soon as we can get the good quality staff, as he had said.....As soon as they can get a job elsewhere, they're gone.*

- ❖ *J4-31: At our facility I've been there 15 years and I've only seen one state worker get fired for over-familiarization where Aramark I think has 3 or 4 that have been fired and seen 5 or 6 quit. So a big turnover rate.*

*G4-31: We just lost 4 in the last week. One went to be an officer and the academy started pretty soon and one was lady in a cooler and then another one, I don't know exactly what happened with him, there was something there if Aramark got rid of him or the state finally said to get rid of him. And I think one was the brother of someone in the cooler and if he just quit, but he was pretty friendly with the inmates all the time too.*

- ❖ *DN1-19: I can tell you that every week, 2 weeks we lose an Aramark employee, and there's another one coming in a couple days later. So, I don't know how long their training is or where they're getting training at. I think they're getting it from our training room in the facility, I'm not sure but once one's fired, there's another one in like a day or two.*

- ❖ *B3-35: ...he's a monster. He [Aramark manager] treats his staff like...as low as a prisoner.....in front of prisoners, in front of custody staff, everything. He had 5 staff walk out on him within a week. He had 2 in one day, 2 the next day, 1 just came back to work, she didn't come to work for 2 days, came back and quit. We had an older gentleman who had some problems at our \_\_\_\_\_ Unit, it's a Level 1 gate pass and what not to work....he had some problems over there, and he said, 'I'm not going to work over there.' He's in his 60's. He said, 'If you make me work over there, I'm going to quit.' So they talked him into it for over the weekend, the weekend before Memorial Day weekend, and they were super nice... and the Assistant Food Service Manager came back and said, 'You got to go back to \_\_\_\_\_ Unit.' He said, 'I told you I do not want to work there. If you make me work there, I'm going to quit.' He says... 'You are going to go to \_\_\_\_\_ Unit, and you are going to listen to me.' He goes, 'I'm going to listen to you, but I'm going to show you where I'm going to go,' and he grabbed his coat and walked out on him, quit. So that's 5 employees in less than a week at our place alone.*

#### **5.4 Inadequate Training**

Turnover increases recruitment costs. To contain expenses Aramark neglected training, and new recruits were unprepared for work in a prison environment. Aramark apparently hid the realities of prison work from new recruits.

- ❖ *DN1-19: I can tell you that every week, 2 weeks we lose an Aramark employee, and there's another one coming in a couple days later. So, I don't know how long their training is or where they're getting training at. I think they're getting it from our training room in the facility, I'm not sure but once one's fired, there's another one in like a day or two.*

- ❖ *BN2-11: We have literally went through 4 Aramark supervisors. The main sup, \_\_\_\_\_, the main supervisor that is supposed to oversee the line, Aramark staff, we have went through 4. And these people that they have gotten to run this, they're fresh off the street.*

*Someone: They don't have a clue.*

*BN2-11: They don't....no clue at all. They're being trained by the inmates. Inmates are training them. It's.....yeah, we've went through 4.*

- ❖ *D3-32: And the thing about this, not all of these Aramark employees are horrible people by any means, it's just their lack of education in the prison system is creating a lot of trouble, you know, and it's a learned process. We take 5 years to get to our max pay grade because it takes 5 years to figure out the games these guys play. Now when you're paying these Aramark employees \$10/hour or \$11/hour, they're not going to be there for 5 years, it's a stepping stone, it's a joke.*
- ❖ *D4-8: Yeah same facility and in the morning I had a couple guys who work in the kitchen for a long time and the guy come to me and he says, "you know they don't know what's going on. They don't even know what they got in the warehouse. I'm a prisoner and I know what they got in the warehouse." He knows what's supposed to be there and what's not supposed to be there because he's been here for so long. And you get some of these guy who are lifers and that's their job, they just work in the kitchen all the time. And one time the guy came to me he says yeah this girl doesn't know what's going on, she doesn't know how to do anything. And she come in one day and wanted somebody over in the morning before we usually get our prisoners over and I says my supervisor find out why she wants somebody. We thought it was like a sexual thing or something so they had me ask her. She goes no honestly I don't know what I'm doing. I don't know how to turn the kettles on and she's doing the breakfast, the first meal of the day. So she's definitely not trained.*
- ❖ *M5-23: I actually had yesterday an Aramark lady, she's just trying real hard, she's been there for I want to say 7, 8 months, and you know she checks the inmates, and she says don't do this and you know she's probably one of the better ones, but she's so undertrained. She said, we were talking, she said, 'Yeah, this.....,' I don't remember the inmate, '....this inmate, he's been bothering me. This is.....for about 3 weeks now he said he could make me about \$30,000 in one month.' And I said, 'Woah, how long has this been going on for?' You know....., 'Oh about a month and he keeps changing the numbers and.....,' I said, 'You got to report that to me. That's a bribery and we lock him up immediately. They can't do that.' 'Will they believe me?' I said, 'Yeah, you said it.' And I was looking and I was dumbfounded because we have so much more training, and then on top of training, we get brought in the facility and we have.....I guess mentors who understand the job and they train us. All the Aramark people do is say, 'Ok, here is the Chow Hall, here you go,' and read a couple computer policies and then here's the Chow Hall. They're afraid. I think they kind of, I've been told by inmates they make alliances, like, 'We'll protect you.' 'This group of inmates will protect you guys,' and then, 'Oh, thank you,' they'll say*
- ❖ *W3-26: And right now you've got inmates, like you said earlier, running that kitchen because they're not equipped or trained to deal with inmates. When we first, when they first took over, we had a couple at our facility, 'Well, they told me I didn't have to have any contact with inmates,' it's like really? You're in an inmate kitchen, it's like.....*

*RZ3-26: So they were misinformed....*

*Several: Yeah.*

*J3-26: The way they explained was they were going to be preparing meals outside of the facility, like in TV dinner form.....*

## 5.5 Loss of Professionalism

Inadequate FSL compensation, turnover, and an absence of effective training predictably lowered the professional status of the occupation. The FSL role transitioned from a career position to a temporary job.

- ❖ *GG1-4: Before it was more professional, and they [State workers] cared about what they were doing, now it's not. They're [Aramark employees] not professional. They don't care what they're doing. We hear a lot of 'It's not my fault,' 'I don't care.'*
- ❖ *J2-5: ... it's like the state food service workers were a different caliber of employee, you know what I mean? It was like... in other words, the state food service had a career, and the Aramark food service [workers] have a job. People don't care about their job, people take care of their career. That's my opinion.*
- ❖ *H5-60: .... at least the state employee knew what was going on, knew he was dealing with prisoners, knew the seriousness of the situation day in and day out. These Aramark employees don't have a clue. They walk around like they're friends. They talk like they're still out in the streets. I've heard numerous, when I mentioned the cleanliness of the kitchen, 'Not my kitchen. I don't have to be here.' The state workers took pride in that. That was their kitchen. That was their food coming out of there, you know, they took pride in working in that kitchen.*
- ❖ *N5-45: One of the, I think one of the main differences between Aramark and our previous state food service was that the state food service workers took pride, like if they had good food, they were proud of that, you know. They didn't want to see bad food out on the line you know. If the Chow Hall was clean, you know, they kind of took pride in that, you know. Aramark, they don't care, they're just there for the check, for the little bit of a check they're getting, and you know, they don't feel like they're a part of the facility. They just don't care, and they're not going to be there that long just because they're turnover rate is so high...*

*RZ5-46: The difference though, is it just pay or are there other factors you think that explain why the Aramark employees are different than the former state workers.*

*N5-46: I think with the state, it was a career. It was something that they were going to be doing long-term. A lot of the previous state employees, they had been there for 20 years, you know, 25. The lower ones might have been there for 10, 15. You're not going to see all that out of these Aramark people like we're lucky if they're there for a whole year.*

## 5.6 Unstable Staffing

Food service leaders do not directly cook and serve meals; they supervise inmates that perform these tasks. And so the job of managing personnel happens on two levels: (1) the contractor has to hire FSLs with the talent to manage an institutional food operation within a prison, and (2) the FSLs must effectively manage inmate labor. Regarding the first, Aramark had a difficult time scheduling supervisor staff, at times overstaffing to offset turnover and absences. Inconsistent staffing stressed the contractor employees that did show up to run the kitchen.

- ❖ *D1-7: They [State workers] would routinely help us, you know as far as getting the ID's, getting the inmates sat down so we get count done quicker, and they would always jump*

*in and help us. We could really work together because right now you got twice as many Aramark workers as you had state employees, and they still can't get the job done with twice as many people.*

*RZ: Oh. You have more Aramark employees?*

*D1-7: They got double the amount than they had state employees.*

*J1-8: At \_\_\_\_ when it was state-run, I typically had 3 food service supervisors. With Aramark, I have on average, 6-8 per shift. And they still can't get the job done.*

- ❖ *J1-66: Well it's, at \_\_\_\_, their days were.....Aramark can't do a schedule to save their frickin life, but there are some days where they'll have 3 or 4 staff, and they're some days where they have 7 or 8, and because they can't do a schedule you got some guys, some Aramark workers that are doing you know, 60, 70 hours a week. They're just constantly there because they're so short staffed.*

*RZ1-66: Right.*

*J1-66: And you get somebody on their 69<sup>th</sup> hour of the week, they really don't give a shit if you walk out with that piece of hamburger or not, you know. They're mentally beat down.*

- ❖ *B3-59: [Aramark employees are] not leaving to better themselves. They can't take it and they quit. They're being stressed out, mostly like I said we lost 5 employees in less than a week because they're stressed out because of their supervisor, you know.*

*P3-59: I have one that goes around screaming, crying, yelling, all them prisoners are seeing them like, 'Oh my gosh,' all of those prisoners are watching, 'Crying?' I mean crying. I'm like, 'Oh my gosh,'*

*RZ3-59: Oh, a food service, an Aramark worker.*

*P3-59: Yeah, it's an Aramark employee you know, but screaming out people's names and all of the prisoners are even kind of like, 'Oh, I think she's going off the deep end.'*

*T2-59: These people [Aramark employees], this is not fair to them, it's completely dangerous not only to us but to them. A lot of these people would have never done something like that outside of that prison, but they've been put in that position, where they've been compromised and it's not fair.*

Hiring protocols were relaxed to ensure a constant stream of new recruits. For instance, the contractor failed to screen the relatives of inmates. Contractor management resisted firing employees to minimize recruitment costs.

- ❖ *BR2-59: ... we have an Aramark staff right now, who has a son who's locked up, and he was locked up when Aramark hired her.*

*T2-59: Do you all remember in the community a few years back, maybe 10 years ago maybe, the guy had the bomb....blew it up.....gosh what was it.....he was hired by*

*somebody else to kill the wife I believe it was. Well, that's his daughter, the 18-year old they just hired.*

- ❖ *BN2-50: Our shift commander just confronted the Aramark director, and basically just said, 'What is up with your staff? What is up with this,' and his response was, 'Well, it only takes one day to fire them and it takes 5 or 6 weeks to replace them.' 'So basically that's why you just let them go.' 'Well, that's why we have been talking to people because if we got rid of them it would take 5-6 weeks to replace them,*

One change was in the ratio of female to male food supervisors. Most State supervisors were male, while most contractor employees were female. To fill ranks, the contractor also hired older workers. Officers perceived female hires as especially vulnerable.

- ❖ *T2-16: I think it's important that we bring out the difference and the dynamics from the MDOC team to the Aramark team. MDOC team and, figuratively, was about 90% men and a couple tough ladies in there, and a couple of the women on there that worked in there, they carried a big stick. These guys, you've got 95% women in there, and you know, they're people that probably should have been retired from other jobs somewhere, and they're coming in to work for \$12/hr, and you've got one young guy in charge of all these people. He has no clue of what he's doing. He's never been mentored into the security systems and it's just terrible. I mean they don't know what they're doing, they're being bullied, they're being compromised.*
- ❖ *BN2-48: But the way they've got their kitchen workers, you know, kicking the bobo with the fellas, you get groups that congregate around that window, one of them goes sit down, now you got groups outside there and so you're not able to see what's going on because you got 10 guys out, well half of them just want to look and check out the new girls that are in these Aramark uniforms, and they'll come to the door like they have a concern about their tray when there's nothing wrong with their tray, they just want to smell a girl. They want to smell her literally, and the gals that are there, they're just in the way. They're not even ensuring that these kitchen workers do the right thing. They're letting them go ahead and just kick the bobo because these guys that are on that serving line, this is sometimes the only time they can ever get with this certain prisoner because they're not supposed to have the contact with them.....different level. We have bi-level, 2 and 4's, so the only time they're able to get info to them is when they're in the chow line. Well the conversations aren't supposed to happen, it's supposed to just simply be keeping it going, just like a production line in a factory, but it's not happening. And when you look at the Aramark staff just sitting there.....she's just standing there with keys and.....*
- ❖ *D3-7: I've seen multiple times female staff holding a bathroom door open in a back hallway with a prisoner mopping in the bathroom, and talking to him. And it's like, holy smokes, it's so loud in that kitchen, it's just a terrible, terrible position to put yourself in. And me as an officer, when I bring it up to the female staff, I'm like, there is no way you should be doing that, they look at me like I'm ridiculous, like what are you talking about? And it's like, wow, they have no idea the safety and security issues. They just don't have the training.*

## **5.7 Poor Supervision of Inmate Labor**

De-professionalization of FSLs, inadequate training, turnover, and job stress, affected the management of inmate labor. Inmates took advantage of gullible contractor recruits.

- ❖ *GG1-28: Ok, at our place, they load, they have to bring the food to us, so the inmates load the van, the truck, I ask the Aramark staff all the time, 'Are you back there when they're doing that?' 'Do you know what's going on in your cart, on the cart inside your truck?' 'No, usually the inmates do it.' 'Well, then how are you going to know that you've got enough, if you don't, you got a list of what you need. Sit there and check it off.' The state workers had always done that. They always knew what they had on the back of their vehicle. They don't, they just let the inmates do it.*
- ❖ *B3-14: Over the Memorial weekend, they were just, you know, I knew something was going on with Aramark being busy, doing a bigger meal than they normally do, prisoners are gathering here more and more over here and what not, and just before count, when I'm doing my count round, I got a lot of prisoners, and this is where Aramark doesn't realize what they're doing, being in an area that they're not supposed to be in, I yell my count round and I called out to control, 'Hey, so and so is over in this area. I know something's going on. He's pretending he's doing something else. I counted him, now he's going back over there. Put the camera on that section.' So he did. He didn't see nothing, and when I got done with my count, I shut down, and I found 20 lbs. of raw hamburger patties, wrapped up in cellophane, saran wrap, and stuffed up underneath the dish tank drying table, you know....there's like 90 patties, which you know, they were going to steal out of there during chow lines, go back to the unit and sell them for store goods, and they were going to have their own Memorial Day cook-up*
- ❖ *B2-37: And they e-mail inmates pictures and stuff like that, and they still talk to, the people who have been fired still talk to the people that work there on Facebook, and they're training them how to get around the bad people, which is the staff who want safety and security. They're teaching them what to look for and how to act because they've been there forever. You got a guy doing 30 years, you bring him back put him in charge, an inmate, you put him in charge, that's their best friend. He's going to be there all day long. I don't know how many times I've had him come to me and say, 'Hey, I need this person called in.' 'We got 5 people sitting down. Use one of them.' 'Oh, I need this person because he's the only one that knows how to do this.' No. We have never had that problem before Aramark got there of wanting a person. A body is a body inside of a prison, but now they have selected inmates, that only those guys know how to do this job so we got to bring them in.*

*S2-37: Meanwhile, there's 10 other prisoners just sitting there.....*

- ❖ *S4-42: Another thing is as far as that goes the accountability of the inmates now there is none. Our state workers used to fill out a daily report on every worker like it was a 1-5 grading system and at the end of their shift you have your production food steward guy and you have your service. And each one would grade their workers in their area and if say the dish tank was a mess at the end of the day the guys in the dish tank area were graded poorly so what you did is create a paper trail. So you've finally and if you don't see any improvement and you want to get rid of a guy well here's why. You take the classifications like you know he's been written up four times in the last week for leaving his area dirty and you can get rid of the guy. There is no accountability with the inmates now, if an inmate's not doing his job or he's not where he's supposed to be they have no clue as far as disciplining an inmate or what to do with it. They actually tried to start a daily report on the workers and I think it lasted two days and in fact that was I was in the office one day and one of the Aramark guys was trying to grade the guys and he's like*

*well who's so and so and I'm like he's the cook, hm I don't know him so I'll skip him. I'm like No don't skip a guy you're supervising, you are responsible for knowing and you don't even know him and just going to skip him and not going to do that. No!*

*J4-42: Even with the sanitation thing, our old food storage had a list on the wall where if you were in the number one positions in the – line this is your job to have this cleaned before you leave to go back to your unit. Well Aramark came along and we'll take this down and we'll put our own up and there's nothing there, the prisoners don't know what they're supposed to clean or anything. So you're always like why isn't this clean? Well I don't know who's supposed to clean it and Aramark don't know who's supposed to clean it when before I could go over and look at the wall and say hey prisoner \_\_\_\_\_, whatever your name is, you're supposed to clean that so clean it.*

*RZ4-42: So the overall, like you say, the management of prisoners has itself declined in terms of the accountability.*

*G4-42: Yes big time accountability, there is none.*

Lax oversight invites prohibited inmate behavior. Officers apprehend violators of prison rules and remove inmates from kitchen duty, at least temporarily, which accelerated inmate turnover. Inmates expressed a preference for State employees.

- ❖ *D1-25: It's a higher turnover with kitchen workers right now too because if you're doing your custody part of your job, you're busting multiple people, multiple days, stealing food. So, if you leave them with a little bit of rope, and the guy you want to get rid of, eventually you're going to get him, so you can have him removed.*
- ❖ *L2-82: Yeah. They give them what they got coming, they're happy. Let's look at another parameter. You're doing a study right? These inmates are getting more.....are getting misconducts for theft and other things out of the kitchen when we do get a call, and the more their tickets compound and everything else, their levels [security levels] can go up. ...they can't wait to get their 6 months to go by and get back in the kitchen again, and these guys go back in the kitchen, and most of you guys know, I bet you 50% of the inmates get fired within 6 weeks because of theft down there.*
- ❖ *G4-40: I had an inmate recently that had worked up in the kitchen before with the state workers were there and I don't know if he just transferred and got out or what but he'd come back and he was up in the kitchen, it must have been about two weeks ago, and he was telling me that he used to have this real hard ass food steward who would do his job, and he knew his job, and the inmates knew him but he was a hard ass and they all hated him. And he was telling me the other day boy what I'd give to have so and so back. He said for how much of an ass he was, I wish he was back here because he said this is just ridiculous.*

*RZ4-40: An inmate told you this?*

*G4-40: Oh yeah.*

*J4-40: I have same thing. We have a couple of prisoners that were in there working the kitchen for 3 years and they rolled out and they told me too I wish the state workers were still here because these people don't know what they're doing.*

*S4-40: Yeah I've heard the same thing. Man they don't even know how to run a line yet and you got to get rid of these Aramark people. The prisoners are saying this!*

## **5.8 Unresponsive Political Leadership**

Officers had little faith in top administrators and elected leaders to correct the problems related to privatized food. Privatization was viewed as an inflexible mandate from Lansing that appointed MDOC administrators were required to follow. Immediate MDOC supervisors supported COs, yet concerns sent up the chain of command vanished. Unfavorable news was suppressed from the public to protect Lansing.

- ❖ *J3-12: But you're, you know, this critical tool thing, this room—I sent an email to my sergeant, sergeant sends it up, comes back. “That's Aramark's responsibility.” Okay, they're supposed to take care of it. So they get with Aramark, but then they don't. Okay, and then, a few weeks go by and I get frustrated, send out another email. Get the same result, over and over again*
- ❖ *B5-40: .....when the Director said we weren't going to fine them, they [inmates] were like, 'Wait a minute....how can they not feed us. It's in the contract. They were told if they didn't feed us, this was going to happen.....they didn't feed us and nothing happened? The only one losing here is us. We filed our grievances, we did everything, we waited.' So that's probably why a lot of grievances don't get filed. Nothing's being done about it. They get the Warden formal meeting, then after that they're being spun, you know.*
- ❖ *RZ3-37: So at your facility, you feel like you're getting support from [management]?*

*P3-37: Yeah. My sergeants, inspectors, you know, they all back me.....you know, it's a safe, unsecure place if they aren't back there.*

*RZ3-37: How about the rest of you?*

*J3-37: I feel like I'm getting support from my supervisors, but it doesn't seem like that's doing anything, you know what I mean....that's all they can do is document stuff, send it up, and it's not doing any good.*

*W3-37: They staff seem to back us up, but at the same time, when it comes to Aramark it seems like, I don't know, I think we've just been ignored so much in the past that they pretty much just washed their hands.*

*D3-37: Nothing's going to get done....*

*W3-37: Nothing's going to be done about it.*

*D3-37: I think there's such a huge gray area between Aramark and what we can do, what we can't do.....the fact that, you know, the.....everything that Aramark has done wrong has seemed to gone, seemed to have gone....there were no consequences for it, and I think it's to the point where our supervisors know even a complaint doesn't matter. There's no sense of even writing it down. It's kind of a waste of time.*

- ❖ *T5-40: At my facility, I always get tired of writing all of the reports, the \_\_\_\_\_ reports, the meal substitution reports....I always do them daily, every night, I'd sit down and have to do a bunch of reports of everything that was going on in the Chow Hall with cleanliness, you know, sanitation and the aspects of it, what they run out of...how they don't even have soap to run the dish machine, the food shortages, using the wrong size scoops, if an inmate is supposed to get a half a cup, which would be a 4 oz. serving, they're using a 2 oz. scoop....I file all of these reports, my supervisor record them up the chain of commands, apparently they were supposed to be turned in to allow for these \$500 fines for everything that's happened, and eventually the state actually changed the forms around, so now like on the daily count sheet that they fill out at the Control Center of how many meals were served off the MealTrack system, at the bottom they just put a notation, 'Ran out of cornbread,' \_\_\_\_\_, and I believe that actually kind of, has hidden, all of these fineable instances, and I believe the state was smart enough to give them that, to switch the forms around so they weren't getting it out like they should be.*

*H5-40: I've emailed our Business Director numerous times; he oversees our kitchen, about the cleanliness of our kitchen. I've talked to the Deputy about the kitchen, overall. 'You just keep sending that stuff. Keep sending that stuff. This is all the ammunition we need.' ...I feel like I'm getting spun, which I am. Yeah because ain't nothing changing. You're wasting your time doing all of this.*

- ❖ *T2-65: I'm concerned that all of this fixing of things for Aramark, and making things work, and stuff not being repaired, and keeping all of this at the lower level, so the politicians don't have to look bad, all of this is going to carry over into other privatization talks.....like one of the privatized facilities, like \_\_\_\_\_ was talking about. 'Well jeez, this looks good on paper. It looks like Aramark's doing pretty good.' When in reality, they're failing miserably. 'So let's go ahead and privatize something else now.'*

Stop orders allowed prison wardens to tag a contractor employee as a violator of protocol and threat to custody and security. Once tagged, the person would be barred from reemployment at another facility. The suspension of stop orders was perceived by COs as a way to cover up the problems with privatization.

- ❖ *D1-61: Because of the lack of communication and the right paperwork not being done....it's....we stop issuing....stop orders on all Aramark....*

*G1-61: Right, they stopped that.*

*D1-61: So now they can go to another facility, and start working there until someone figures it out and connects the dots.*

*RZ1-61: So like this is important. I want to make sure this is recorded. The stop order is basically when they tell someone, 'You can't work in the prison system anymore,' correct?*

*G1-61: It's a big print-out that you used to get that would have their face. They are not allowed on the facility grounds no more.*

*RZ1-61: Ok.*

*G1-61: Well, I don't know what's true because I'm not a part of that process, but I believe it's.....they stopped it because of the vast amount of Aramark workers that were getting fired, and we were keeping track of it.*

- ❖ *W3-34: Yes. I can't vouch for other facilities, but I know at ours, you bring up something to them, you'd be lucky if they even acknowledge the [issue].*

*D3-34: I brought up [to MDOC supervisor] the issue of the can lids, which is huge. I mean, the security, it's ridiculous, I mean, they basically have razor blades this big around, you know you take a can lid, you could slice somebody's head clean off with one of them damn things, and I brought it up to my supervisors, even the inspector, not to throw anybody under the bus, but he was like, 'Well, that's the way they're doing it back there, and they've been doing it that way for a while.' I was like, 'Are you kidding me?' And at \_\_\_\_\_, when I came from \_\_\_\_\_, they weren't allowed to cut the can lid all the way off, it had to be connected to the can, and if it was cut off they brought it right to you, 'Oh man, I made a mistake. I went too far.' Here they cut top and bottoms off of the lids, off of the cans. They have 8 in. discs of steel....*

- ❖ *BN2-45: But it's gotten to the point, and they don't, they kind of agree with me, it's kind of the point where, 'Ok, I'm going to make sure I do my rounds. Make sure I get on the camera showing me do my rounds within the time frame that I'm supposed to do them,' but once I've completed that round I don't want to see or hear what's going on because it's.....even though there is some concern at the institutional level when it comes to shift command and administration, there may be some concern about what's going on at their facility, but there is no concern once it goes beyond that to Lansing.*

*RZ2-45: So in some cases, let me just understand at this point and then.....so what you're saying is that you look the other way when you know things are happening that are a violation?*

*BN2-45: There's no correcting them. There's nobody that's going to ever get it fixed. Yeah.....*

*L2-45: The state knows, they're just buying into it...*

Officers advised inmates to use the grievance process rather than protests to affect food policy. Others believed that grievance writing was futile, given that the State knew of the problems and did nothing. Some COs expressed concern that any conspicuous criticism of State policy would invite retaliation.

- ❖ *A5-38: I firmly believe that if the inmates would have played their cards right, Aramark would be gone by now. All the things that have happened, if they would have been filing grievances left and right on everything that they complain to us about, Aramark would be gone, and I tell them that constantly in the Chow Hall. They, 'Well, what are you going to do about this?' I'm like, 'What am I going to do about it? It was shoved down my throat the same way it was shoved down your throat. I and my union have been trying to block it. They couldn't do it. You guys have the power. Fill out your grievances. You'd grieve me when I was in housing. You'd grieve me because I wouldn't give you toilet paper or soap. These guys are cutting your food in half.....giving you, watering it down, everything you're complaining to me about is a grievable issue. Go back and fill out a grievance.' They don't.*

*B5-39: I agree with the both of those statements, but also you know, well at \_\_\_\_\_, those guys write grievances about the food, about their portions, about their carrier count, about everything they do. They go to the Warden's formal meetings and I see some the questions that they ask the Warden, and the Warden directs them to the Director or the Assistant Director that attends the meeting, and they spin the guys with a, 'Our Regional Officer,' this, this, and that, 'and we're getting you guys the necessary count of calories,' but when the inmates are writing these grievances at the same time, they got cable TV, and they hear about how the Director or the Assistant Director, when they tell you every time Aramark was supposed to run out of food, they were supposed to be fined.*

- ❖ *T2-6: We always talk about Lansing, like that's the man that's the guy that's working with Aramark, but our facility administrators are a part of that system. And sometimes of what they don't want, is to be made to look bad, so anything that's going to make them look bad they want to squash that. So if there's a chance an employee might be doing something to make them look bad, they don't want, they're going to try and control you.....*

*S2-6: Potential liability....*

- ❖ *BN2-23: We have a shift commander who expressed his concerns about this whole Aramark deal, the safety, the issues going on. He sent it to, apparently to all the right people in Lansing because they immediately wanted him fired. They had contacted our warden then they claim that she saved his job and was able to keep him on, but they wanted that shift commander fired immediately for expressing his concerns about safety and the issues going on with Aramark.*

*T2-24 That's that pressure I'm talking about. Now the administration is part of that system.*

*BN2-24: They did not want to hear what his concerns were. Bottom line is, just make this thing work.*

*S2-24: Yep.*

*BN2-24: And when he came, when he went to the right people to voice his concerns about.....I mean he's a captain.....just instantly they want him fired.*

## **6. Interpretation and Discussion**

This final section syllogizes the themes to provide a summary overview of the consequences of prison food service privatization.

### **6.1 Negative Reciprocating Effects**

Privatization was embarked upon to reduce MDOC operational costs. Cost pressure and profit motive induced the contractor to reduce FSL compensation. Perceptions vary, but COs testify that salary was cut by roughly 50 percent, and key benefits such as pensions were eliminated. These changes undermined the professional status of FSLs, and very few former State workers transitioned over as Aramark employees. Instead, displaced State workers applied for jobs as COs, retired, or sought employment elsewhere.

With the exodus of State employees, Aramark had to plumb regional labor markets for personnel to fill the FSL role. Given the modest compensation, this task was challenging. New recruits typically lacked skills in institutional food operations, and few had the equanimity and maturity to work in a prison environment. Some Aramark recruits had promise, but these persons would often voluntarily resign after coming to the realization that their pay was incommensurate with the risks and responsibility of the FSL position.

Aramark had little choice but to recruit under-qualified employees, many of whom committed violations of prison protocol and were released from duty (stop ordered) by prison wardens. A common violation was over-familiarity; yet criminal acts such as drug smuggling also occurred. Contractor response to turnover was to accelerate recruitment by misrepresenting the nature of the work to job applicants, relaxing the vetting criteria, and neglecting training. Recruitment costs for the contractor escalated, and for the MDOC, the FSL staffing for the kitchen became irregular and undependable.

Upon arrival, inexperienced contractor recruits would understandably turn to inmates working in the kitchen for operational advice. Inmates befriended these contractor employees, and often manipulated persons into performing sex or trafficking contraband. An alliance against the COs developed between inmates and contractor employees, which led to conflict over the staffing of inmate labor and access to kitchen and food storage areas. Contractor FSLs wanted the discretion and flexibility to choose inmate labor. The COs had a keener understanding of inmate behavior and prison protocol, and would object to inmate assignments for security purposes.

Kitchens also became contested, but for different reasons. Tasked with safeguarding custody and security, COs demanded access to kitchen and storage areas in order to monitor inmates and contractor staff. Contractor employees would obstruct, even to the point of placing new locks on storage doors, out of the suspicion that COs were stealing food to sabotage contractor efforts.

Theft did escalate because inmates were able to capitalize on the naiveté of contractor FSLs to smuggle food and weapon material (e.g. can lids) out of the kitchen and into the general inmate population. A market for these types of contraband expanded, especially for food, as food quality and quantity in the chow hall worsened. Under the trusting gaze of contractor staff, inmates gained access to the food storage areas, purloined food stock, and entrepreneurially marketed contraband to the inmate population. Ground beef and concentrated fruit juice were especially prized; the latter of expanded the availability of ethyl alcohol. As per the service contract terms, food theft was a cost borne by the contractor, further exerting pressure on the contractor to reduce meal costs through shortages, substitutions and inferior fare.

The contractor response was to intensify tactics to reduce food expenses, all of which imposed added costs on the prison system. Progressive cooking was a type of planned food shortage that enabled the contractor to dish out smaller portions and substitute with less-expensive fare. Other cost-cutting measures included allowing inmates to choose food items, and to neglect sanitation and safe food handling protocol. These practices disrupted the prison schedule, fomented inmate frustration, and contributed to inmate illness.

Meanwhile, kitchen assignments rose in value. Inmates working in the kitchen ate better than others and had opportunities to flirt with the female contractor staff. Inmates that successfully stole food were able to supplement their prison incomes. In the very least, inmates in the food serving line could reward friends by giving them larger portions of food. At some locations the kitchens became infiltrated by gangs that controlled access and collected tribute. Thus, the de-professionalization of the FSL position created an authoritative vacuum in the kitchen that was readily filled by guileful and powerful inmates.

In sum, a series of negative reciprocating effects emerged. Stingy contract terms coupled with the quest for profit incentivized Aramark to reduce compensation and food expenses; inmates responded to food scarcity and contractor employee inexperience by gaining influence over the kitchen to steal food and kitchen items for the burgeoning market for contraband; contractor employees treated the job as a temporary assignment, rather than a career, and leave voluntarily or engaged in behavior to supplement their modest incomes, such as contraband smuggling; the MDOC personnel issued stop orders against contractor employees that are caught violating prison rules; food theft and employee turnover cut deeper into Aramark profits, further incentivizing Aramark to hold down labor costs and compromise on food quality and quantity, and so on.

## **6.2 Limitations of the Service Contract**

Food provision is indelibly joined with custody and security. The critical conceptual mistake in this venture was in thinking that food responsibility could be delegated to a third party without affecting the MDOC mission. Contract language might have obligated Aramark (now Trinity) to be concerned with security, but mere words could not compensate for the loss of knowledge and experience that accompanied the de-professionalization of the FSLs. Far too many details of prison food operation that relate to security go undetected by the untrained eye, and contractor employees simply lack the skill and experience. Thus, from a practical standpoint, the contract language pertaining to the security obligations was unenforceable, and ultimately disregarded by mid-level MDOC supervisors.

The loss of security coupled with food scarcity heightened risks for all actors. The COs observed strong inmates take food from the weak in the chow hall. Inmates working in the kitchen would be blamed by others for the poor food quality and small portions. In some cases, kitchen inmates were coerced into stealing food. Food shortages typically affected the last meal shifts, triggering protests amongst inmates classified as the most dangerous. Inmates would direct their frustration toward other inmates, COs, and contractor personnel.

The COs in the kitchen and chow hall areas all described higher stress levels in their effort to safeguard inmates, contractor personnel, and themselves. Few expressed confidence in the ability of contractor employees to assist with custody and security. Not a single CO gave an example where a contract employee assisted in dealing with an inmate dispute. Rather, much of the added job stress on COs was due to the new task of observing contractor employees for either prison violations or lapses in safety protocol. Other sources of stress include: increased inmate conflict

de-escalation over food (e.g. shortages), the proliferation of contraband (e.g. juice concentrate for alcohol, weapon material), inadequate safety procedures (e.g. unsecured areas and tools), and disputes with contractor personnel (e.g. inmate assignments).

Some COs attempted to educate contractor employees on security hazards, but these efforts were ad hoc and often rebuffed. Consequently, a larger burden for maintaining security fell upon the shoulders of COs stationed in the chow hall area. When a food operation functions properly, the COs in the chow hall can concentrate on inmate behavior, staying alert for patterned interactions or power relations among individuals or groups. A critical CO role is to anticipate and defuse inmate conflict, which requires COs to focus on inmates.

With privatization, CO attention was diverted toward new tasks. Increased frequency of rounds through the kitchen area pulled COs away from the chow hall station. Food portion control was previously monitored by State FSLs to enforce standard meals for inmates. Insufficient oversight by the contractor allowed the inmates to hand out extra food, usually as a form of payment. The COs, out of concern for safety, absorbed this role.

Other tasks distracted COs from inmate monitoring. Meal counts became a recurring point of disagreement between the MDOC and Aramark, which drew in COs involvement. Just prior to privatization the MDOC installed the electronic, card swipe OMNI system to tally inmate entry into the chow hall, and the COs had to administer the OMNI throughput. Accurate OMNI counts require that the card swipes register, which did not always happen. Moreover, the OMNI systems occasionally went down, interrupting the flow of inmates into the hall and disrupting the prison schedule. What elevated the importance of this task was the fact that Aramark was paid on a per meal basis, and discrepancies between the OMNI system and tray counts had to be reconciled.

Even more fundamental was food provision itself. Inmate protests over food shortages, meal shift backups, food substitutions and poor quality fare required CO intervention. When a CO has to de-escalate tension in one area of the chow hall it distracts from other areas. Protests and inmate incidents requires COs to administer disciplinary action, which took time away from observation. On some occasions the contractor employees failed to show up for duty, which forced the COs to step in and supervise the kitchen. Inmates must be fed.

Food is an essential good, which make kitchens areas of power sought after by inmate factions. In every facility, at question is the extent that inmates are in control. In some Michigan facilities, inmates determine staffing for prized kitchen jobs. Further, by controlling the exchange of food at the serving line, inmates can use food portions as payment. Access to food stock and other kitchen items provide opportunities for theft, which have increased due to lax policing. From the MDOC perspective, arguably the most consequential effect of privatization is the loss of control over the kitchens to inmates, in some cases to gangs.

In relinquishing control to inmates, privatization has invited an authoritative structure that, paradoxically, has muted inmate dissent over the unjust distribution of food and poor quality fare. Collective protests so far have been contained, in part because inmates within the kitchens are benefiting from the arrangement, as are inmates in the general population with sufficient power to claim a share of the bounty. In short, gangs might be preventing full-scale riots over food.

### **6.3 Hidden and Not-So-Hidden Costs**

As introduced, the question of whether privatizing food service was good for Michigan was in doubt from the start, largely because tens of millions of dollars in food and supplies were to be

imported from out-of-state businesses. Instead, the case for privatization was based on the claim that the policy would improve the MDOCs budget. At this juncture it is uncertain if even this narrower objective was met.

A 2015, Auditor General Report displayed preliminary daily figures of \$144,998 for Trinity (projected) versus \$198,368 for State-Operated, for an annual difference of \$19.5 million.<sup>34</sup> Incredulously, the projected annual savings through Trinity are to exceed the amount originally projected from the less-expensive Aramark (\$16.4 million annually).

What invalidates the AG estimate is the absence of any adjustment for the substance of the service. In 2013, the State-operated system relied on 371 FSL FTE. These personnel received training in both institutional food operations and correction policy and procedure. It is unlikely that Trinity commits 371 FTE staff,<sup>35</sup> and near certain that the Trinity personnel do not match the qualifications of former State employees.<sup>36</sup> Moreover, the AG figures do not adjust for changes to the purchasing policy that originally skewed the comparison against State operations.

Some operational cost reductions were merely transferred from food service to another prison function. In 2013, the MDOC facilities ran an evening shift for cleaning, food preparation and baking. After privatization, the decline in kitchen sanitary conditions prompted some facilities to re-establish an evening cleaning crew. These crews are supervised by a CO, not a contracted FSL, and expensed from another MDOC line item.

Other costs expanded because of privatization. Prison infractions meant more inmate discipline, including solitary confinement, requiring a higher CO to inmate ratio. Some related costs defy quantification. Hard to price, for instance, are the psychological effects on inmates, extensions to sentencing, and loss of justice.

Returning to a State-operated system could yield operational efficiencies. For instance, prior to privatization, the MDOC had a low-tech, yet efficient method of counting meals; inmates filed into the chow hall in shifts, and COs counted occupied seats. Meal counts were then reported to State FSLs for planning purposes. The OMNI system that replaced this method slowed the line, suffered breakdowns and consumed CO attention. By returning to a State-operated system the MDOC could scrap OMNI and save on associated costs. Doing the same under privatization is difficult because a verifiable form of accounting is needed to ensure that the contractor is not inflating meal count numbers.

A refined comparison is recommended that matches labor and non-labor inputs, imposes identical operational constraints on the parties, and holds providers accountable for high performance standards. Consideration is due to the “intangible and unknown issues” or “hidden costs,” brought to light by officer testimony. A return to normalcy would entail the re-professionalization of the FSL position. Once accomplished, an objective review will likely conclude that it is within reach of the MDOC to return food services to State operation and suffer little or no budgetary harm.

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<sup>34</sup> AOG, 2015. Prisoner Food Services, Department of Corrections. State of Michigan Auditor General, Lansing MI, December. See page 7 for weekly expenditure estimates.

<sup>35</sup> The service contract with Trinity did not specify the staffing levels.

<sup>36</sup> The COs reported that Trinity hired a large share of the former Aramark employees.

## Appendix A: Aramark Contract Language

### 1.021 In Scope (p. 17):

A. Provide food service to all MDOC prisoners and staff at all facilities, serving three meals a day, seven days a week, including any special diets/needs, confinement/infirmity meals, religious meals, emergency meals, special event meals, snacks, sack meals and staff/guest meals: as well as any other meals authorized by the CCI, warden or their designee.

B. Purchase and receive all food supplies necessary to meet the needs of this Contract.

C. Follow the Statewide Standard Menu (SWSU) as provided.

D. Maintain proper sanitation for the food service operations at all facilities, including the cleaning and operation of all food service equipment.

E. Purchase and maintain all non-food supplies necessary to meet the needs of this Contract.

F. Invoice only the daily count of actual meals served at each institution and NOT the daily population count.

G. Provide security in the kitchen and be trained by MDOC in institutional security.

### Security (p.25):

- Perform call outs- Contractor must verify the inmate workers assigned to the kitchen have reported for duty and communicate that information to the agency point of *contact* on a daily basis.
- Provide accurate prisoner count on regular and routine basis and report those counts to the facility point of contact.
- Must be first responder for medical emergencies in the kitchen. The Contractor must provide basic first aid to inmate with minor injuries and must notify medical staff. In more severe medical emergencies, the Contractor must immediately notify medical staff to provide treatment.
- Must be first responder for facility emergencies -the Contractor must follow MOOC policies and procedures with regard to emergency communication and evacuation protocol for this requirement. In the care of a major disturbance, the Contractor must implement its emergency response plan.
- Respond to prisoner grievances consistent with MOOC policy as directed by MOOC policies and procedures
- Write prisoner disciplinary reports consistent with MDOC process (Class I, II, III) and submit them to the agency point of contact.
- Perform shakedown/pat search of prisoners or work areas *on* a regular routine basis in the presence of a MDOC Correctional Officer.
- Provide any required reports regarding kitchen area functions and responsibilities.
- Complete prisoner work performance reports and submit them to the agency point of contact.
- Assist MOOC during all emergencies or mobilizations.

“The Contractor staff must maintain security of all sharps and caustic chemicals, as well as all inventories in accordance with MOOC policy. All sharps and cleaning items must be logged In and out...”

“The Contractor staff must keep all areas locked and unavailable to prisoner workers. All keys must be secured in the facility key watcher at the end of each work day.”

Sanitation (p. 26):

“The Contractor must maintain sanitation in the food service operations, including employee and prisoner workers' personal hygiene; at least one employee must have a current Manager Certification Certificate from an American National Standards Institute (ANSI) approved certification program (ServSafe or National Sanitation Foundation (NSF) and must be on-site at all times.”